

2-21-2008

# Vreeken v. Lockwood Engineering, B.V. Clerk's Record v. 7 Dckt. 34817

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LAW CLERK Vol. 7 of 10 — 1 of 7

IN THE  
SUPREME COURT  
OF THE  
STATE OF IDAHO

COPY

THOMAS R GOLD, RICHARD L. GOLD

TOMAC PACKAGING, INC.,

Plaintiff and

Respondents  
VS.

LOCKWOOD PACKAGING CORPORATION,

Defendant and

Appellants

Appealed from the District Court of the Seventh Judicial

District of the State of Idaho, in and for Bonneville County

Hon. Jon J. Shindurling, District Judge

Kipp Manwaring

381 Shoup Avenue, Suite 210 Idaho Falls, ID 83402

*Attorney for Appellant*

Charles A. Homer

P.O. Box 50130, Idaho Falls, ID 83405

*Attorney for Respondent*

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

FILED - COPY

FEB 21 2008

By \_\_\_\_\_

Supreme Court \_\_\_\_\_ Court of Appeals  
Entered on AFS by \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

Clerk

Deputy

34817

Charles A. Homer, Esq. (ISB No. 1630)  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
1000 Riverwalk Drive, Suite 200  
P. O. Box 50130  
Idaho Falls, Idaho 83405-0130  
Telephone: (208) 523-0620  
Facsimile: (208) 523-9518

DISTRICT COURT  
BONNEVILLE

7 JUL -9 P4:06

Attorneys for Defendant Thomas R. Gold and  
for Third Party Plaintiffs Richard L. Gold and Tomac Packaging, Inc.

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,  
and THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

CrossClaimant,

vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; and JAN VREEKEN, an  
individual,

CrossDefendants.

CASE NO. CV-01-2279

**AFFIDAVIT OF CHARLES A. HOMER  
IN SUPPORT OF MEMORANDUM OF  
COSTS AND ATTORNEYS FEES**

THOMAS R. GOLD, an individual,  
RICHARD L. GOLD, an individual, and  
TOMAC PACKAGING, INC., a  
Massachusetts corporation,

CrossClaimant and Third  
Party Plaintiffs,

vs.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation  
("LPC"); and LOCKWOOD PACKAGING  
CORPORATION IDAHO, an Idaho  
corporation ("LPC Idaho"),

Third Party Defendants.

STATE OF IDAHO            )  
                                  )ss.  
County of Bonneville        )

CHARLES A. HOMER, being first duly sworn on oath, deposes and says:

1. I am a member of the law firm of Holden, Kidwell, Hahn & Crapo, P.L.L.C.,  
counsel for Thomas R. Gold ("TR Gold") and Richard L. Gold ("RL Gold") in this matter.
2. This Affidavit is made on my own personal knowledge, except to the extent of  
allegations made on information and belief, and in support of TR Gold's and RL Gold's  
Memorandum of Costs and Attorneys Fees.
3. I have reviewed the time and cost records of Holden, Kidwell, Hahn & Crapo,  
P.L.L.C. maintained on the above matter, and represent that, to the best of my knowledge and  
belief, the following items of costs and expenses are claimed in compliance with the Idaho Rules  
of Civil Procedure, Rule 54(d)(5) and Rule 54(e)(1), and were necessarily expended and incurred  
in the above entitled action on behalf of TR Gold and RL Gold:

	<u>Item</u>	<u>Cost</u>
1/30/02	Deposition of Jan C. Vreeken Dick Telford Reporting Service	\$643.65
10/13/03	Depositions of Bill Windels, Melanie Harris Lorna Schuebert, Robert Staker T&T Reporting	\$719.75
10/13/03	Depositions of Ellen Van Der Sande T&T Reporting	\$736.55
10/13/03	Deposition of Richard Gold T&T Reporting	\$79.77
10/13/03	Deposition of Tom Gold T&T Reporting	\$385.20
10/13/03	Deposition of Hans Van Der Sande T&T Reporting	\$762.80
10/13/03	Deposition of Jan Vreeken T&T Reporting	\$927.50
02/07/05	Deposition of John Teti and Deposition of Philip Morse Deposition Transcripts - Melvin Lipman	\$707.00
	TOTAL	\$ 4,962.22

4. The above-listed costs represent the entire costs incurred to date herein (excluding costs for which TR Gold and RL Gold are seeking recovery from Christianne Vreeken pursuant to a prior motion filed herein). The above-listed costs were incurred equally for the benefit of TR Gold and RL Gold and therefore the undersigned believes the costs should be equally divided between TR Gold and RL Gold so that TR Gold recovers costs in the amount of \$2,481.11 and RL Gold recovers costs in the amount of \$2,481.11.

5. The law firm of Holden Kidwell Hahn & Crapo, P.L.L.C. has expended through May 18, 2007 approximately 2,434.90 hours in defending and prosecuting the above-entitled action for RL Gold and TR Gold and in defending TR Gold in the action filed by Eastern Idaho

Economic Development Council in the Bonneville County District Court Case No. CV-01-5449 and in representing TR Gold and RL Gold in the Bonneville County District Court Case No. CV-2006-6775 involving Volm Bag Company. An itemization of the legal services provided by Holden Kidwell Hahn & Crapo, P.L.L.C. in connection with such matters is attached hereto as Exhibit 1. The law firm of Holden Kidwell Hahn & Crapo, P.L.L.C. has invoiced TR Gold and RL Gold for the legal services itemized on Exhibit 1 attached hereto the total amount of \$235,791.00 which is allocated among the following attorneys and/or paralegals at the following effective billing rates:

Name	Hours	Effective Rate	Total Fees
Charles A. Homer	776.10	\$157.00	\$121,846.00
Dale W. Storer	0.20	\$150.00	\$30.00
Karl R. Decker	1.50	\$155.00	\$232.50
Robert M. Follett	204.80	\$44.66	\$9,147.00
Robert M. Follett	1159.10	\$64.98	\$75,317.00
Thel W. Casper	0.30	\$135.00	\$40.50
Thel W. Casper	19.20	\$118.18	\$2,269.00
Jan N. Allred	74.50	\$140.26	\$10,449.00
Deborah S. O'Malley	183.40	\$85.44	\$15,670.00
Burt R. Willie (law clerk)	12.50	\$50.00	\$625.00
Renae Sterzick (paralegal)	3.30	\$50.00	\$165.00
TOTAL	2434.90		\$235,791.00

6. A part of the fees itemized on Exhibit 1 attached hereto pertain to Bonneville County District Court Case No. CV-01-5449 and Bonneville County District Court Case No. CV-2006-6775. The fees associated with such other cases are marked with an asterisk on Exhibit 1 attached hereto and the fees related to such services marked with an asterisk total the

amount of \$43,888.50. In addition, TR Gold has previously filed herein a Motion and Memorandum seeking the award of attorneys fees against Christianne Vreeken, in the amount of \$21,796.99. Therefore, TR Gold and RL Gold are requesting herein an award of attorneys fees jointly and severally against Lockwood Packaging Corporation, Lockwood Packaging Corporation Idaho, Lockwood Engineering, B.V. and Jan Vreeken in the amount of \$170,105.51 (the total amount of \$235,791.00 represented by the services itemized on Exhibit 1 attached hereto, minus fees associated with Case Nos. CV-01-5449 and CV-2006-6775 in the amount of \$43,888.50 and minus fees in the amount of \$21,796.99 sought against Christianne Vreeken).

7. The above-described fees in the total amount of \$170,105.51 were incurred one-half for the benefit of TR Gold and one-half for the benefit of RL Gold. Therefore, TR Gold is seeking recovery of fees jointly and severally against the above-described parties in the amount of \$85,052.75, plus costs in the amount of \$2,481.11, and RL Gold is seeking recovery of fees jointly and severally against the above-described parties in the amount of \$85,052.75, plus costs in the amount of \$2,481.11.

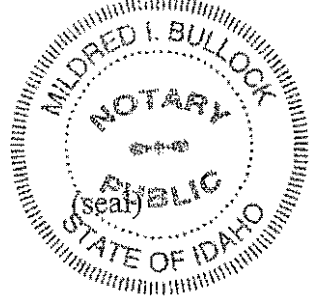
8. The sum of \$85,052.75 represents a reasonable sum for fees for services provided by the law firm of Holden Kidwell Hahn & Crapo, P.L.L.C. in defending and prosecuting the above-entitled action on behalf of TR Gold. The sum of \$2,481.11 represents costs incurred in the above-entitled action allocated for the benefit of TR Gold.

9. The sum of \$85,052.75 represents a reasonable sum for fees for services provided by the law firm of Holden Kidwell Hahn & Crapo, P.L.L.C. in defending and prosecuting the above-entitled action on behalf of RL Gold. The sum of \$2,481.11 represents costs incurred in the above-entitled action allocated for the benefit of RL Gold.

Dated: July 9, 2007

Charles A. Homer  
Charles A. Homer

SUBSCRIBED and sworn to before me this 9 day of July, 2007.



Mildred I. Bullock  
Notary Public for Idaho  
Residing at Blackfoot, Id  
My Commission Expires: 11-28-07



**CERTIFICATE OF SERVICE**

I hereby certify that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering, by mailing or by facsimile, with the correct postage thereon, a true and correct copy thereof.

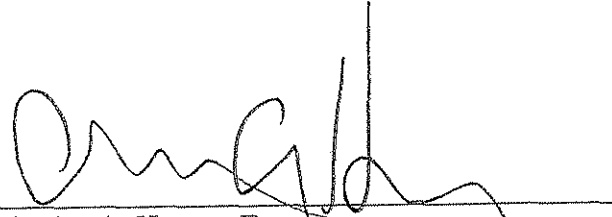
**DOCUMENT SERVED: AFFIDAVIT OF CHARLES A. HOMER IN SUPPORT OF  
MEMORANDUM OF COSTS AND ATTORNEYS FEES**

**ATTORNEYS SERVED:**

Kipp L. Manwaring  
381 Shoup Avenue, Suite 210  
Idaho Falls, Idaho 83402  
Fax: 208-523-9109

(X) First Class Mail  
(X) Hand Delivery  
( ) Facsimile

Dated: July 9, 2007

  
\_\_\_\_\_  
Charles A. Homer, Esq.  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

G:\WPDATA\CAH\10199\Fees and Costs Pleadings\20070709.AFFIDAVIT OF CAH.wpd

1323



THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

December 20, 2001

File #: 10199-000  
Inv #: 993382

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jun-20-01	Work on file; work on complaint.	0.40	RMF
Jun-21-01	Work on file; receipt and review emails; Intraoffice conference ; work on modifications to Complaint.	1.30	RMF
Jun-22-01	Work on file; modify complaint; Intraoffice conference; email copies of answer and redline copy; receipt and review comments with redline from Tom.	3.80	RMF
Jun-25-01	Work on file; continue work on complaint.	1.30	RMF
Jun-26-01	Work on file; prepare answer for filing.	1.60	RMF
Jun-28-01	Work on file; prepare email and copy answer.	0.50	RMF
Jun-29-01	Work on file; telephone conferences with Shapiro firm regarding faxes and issues; prepare correspondence and faxes.	1.20	RMF
Jul-02-01	Work on file; research regarding pleadings.	0.30	RMF
Jul-11-01	Work on file; telephone conference with Tom and Richard regarding status and request to serve parties and serve discovery on bank.	0.50	RMF
Jul-16-01	Work on file; prepare motion to intervene and notice of hearing.	2.30	RMF
Jul-17-01	Work on file to review and revise pleadings.	1.40	RMF
Jul-18-01	Work on file to review and revise pleadings.	0.30	RMF

Jul-19-01	Work on file to review and revise pleadings.	0.60	RMF
Jul-20-01	Work on file; continue work on motion to intervene.	1.50	RMF
Jul-23-01	Telephone conference with Mark Miller; telephone conference with Richard Gold pertaining to status of pending litigation.	0.40	CAH
	Work on file; continue work on discovery.	2.50	RMF
Jul-26-01	Work on file; review materials.	0.40	RMF
	Work on file; telephone conference with Mark Miller regarding stipulation for motion to intervene.	0.50	RMF
Jul-30-01	Work on file; receipt and review signed stipulation regarding motion to intervene from Pike.	0.30	RMF
Jul-31-01	Work on file; receipt and review and fax Stipulation in anticipation of hearing on motion to intervene; review files.	5.70	RMF
Aug-01-01	Work on file; telephone conference with Miller; review international service laws.	2.10	RMF
Aug-02-01	Work on file; work on service issues.	7.50	RMF
Aug-03-01	Work on file; prepare motion for service outside of state and summons; prepare proposed order.	1.30	RMF
Aug-06-01	Work on pleadings research.	1.60	RMF
Aug-07-01	Receipt and review order regarding motion to intervene.	0.10	RMF
Aug-08-01	Work on file; review pleadings.	0.20	RMF
Aug-10-01	Work on file; telephone conference with Mark Miller regarding Bank's records.	0.30	RMF
Aug-13-01	Review notes regarding banks records.	0.20	RMF
Aug-16-01	Prepare for discovery; receipt and review answers to discovery.	0.80	RMF
Aug-17-01	Work on file; attend documents production meeting.	3.50	RMF
Aug-20-01	Telephone conference with Tom Gold and Richard Gold; review Motion for	0.90	CAH

	Judgment on pleadings and Motion to Strike Portions of Answer filed by Bank of Idaho; review Answer to prepare response to motions filed by Bank of Idaho.		
	Work on file; telephone conference with Tom and Richard; receipt and review motion for judgment on pleadings; travel to court to review and copy court file; review file; review pleadings; prepare correspondence to Golds; research.	4.60	RMF
Aug-21-01	Review Answers to Interrogatories filed by Bank of Idaho; telephone conferences with attorney Mark Miller; telephone conferences with Tom Gold and Richard Gold.	1.10	CAH
	Work on file; work on memorandum replying to motions to strike and for judgment on pleadings; work on motion for continuance.	4.60	RMF
Aug-22-01	Telephone conferences with Tom Gold and Richard Gold; review pleadings filed by Miller on Motion for Judgment on the pleadings.	0.70	CAH
	Work on file; telephone conference with Tom and Richard regarding hearings; research.	3.30	RMF
Aug-23-01	Continue work on motions and memorandums to strike and for judgment on pleadings; work on scheduling hearing.	3.10	RMF
Aug-24-01	Work on file; telephone conferences with Miller regarding hearing; message from Miller; telephone conference with court.	1.60	RMF
Aug-27-01	Work on file; telephone conference with Miller regarding hearing dates.	0.20	CAH
Aug-28-01	Work on file.	0.10	RMF
Aug-30-01	Telephone call to Brent Robinson; telephone conference with Tom Gold and Richard Gold.	0.30	CAH
Aug-31-01	Telephone call to Brent Robinson; review documents received from counsel for Bank of Idaho; email to Tom Gold; telephone conference with Mark Miller.	0.40	CAH

	Work on file; contract court.	0.40	RMF
Sep-06-01	Telephone conferences with Tom Gold pertaining to pending matters on Bank of Idaho law suit.	0.60	CAH
	Work on file; telephone conference with Tom and Mark; prepare documents for possible service upon Vreeken.	2.50	RMF
Sep-07-01	Telephone conferences with clients.	0.40	CAH
	Work on file; research service related issues.	0.60	RMF
Sep-10-01	Several telephone conferences with Tom Gold and Richard Gold; telephone conference with Mark Miller; attempt to reach Brent Robinson by telephone.	1.20	CAH
Sep-12-01	Telephone conference with Tom Gold and Richard Gold.	0.20	CAH
	Perform word counts on summons and complaints at Tom's request regarding translation services.	0.90	RMF
Sep-13-01	Telephone conference with Mark Miller; correspondence to clients; review pleadings on deposition.	1.30	CAH
Sep-14-01	Telephone conference with Tom Gold.	0.20	CAH
Sep-17-01	Telephone conference with clients to prepare for deposition.	0.30	CAH
	Work on file; review files for deposition; research documents.	1.50	RMF
Sep-18-01	Attend and participate in deposition of representative of Lockwood Idaho; several telephone conferences with clients to discuss deposition questions and responses; review documentation received from Mark Miller.	5.20	CAH
	Work on file; confer regarding deposition; call Court Reporter regarding transcripts.	0.30	RMF
Sep-19-01	Several telephone conferences with Tom Gold and Richard Gold; review settlement agreement received from Brent Robinson; transmit settlement agreement to clients for review.	2.00	CAH

	Work on file; review bank documents and boxed materials.	0.50	RMF
Sep-20-01	Work on file; review bank documents and boxed materials.	0.50	RMF
Sep-21-01	Several telephone conferences with Tom Gold and Richard Gold; review and revise settlement documentation.	1.20	CAH
	Work on file; review discovery.	0.40	RMF
	Intraoffice conference regarding preparing settlement agreement.	0.20	TWC
Sep-24-01	Telephone conferences with Tom and Richard Gold; telephone conferences with attorney Brent Robinson.	0.90	CAH
	Work on file; research.	0.50	RMF
	Review memorandum of understanding and proposed settlement agreement; intraoffice conference regarding settlement issues; online business entity searches regarding parties; research revised article 9 issues; rewrite settlement agreement.	7.00	TWC
Sep-25-01	Several telephone conferences with Tom Gold and Richard Gold to negotiate terms on settlement agreement; continue work on review and revision of settlement agreement; telephone conference with Brent Robinson; telephone conference with Deborah Mayfield.	2.70	CAH
	Research and work on discovery materials.	0.50	RMF
	Intraoffice conference regarding and work on revisions to settlement agreement.	2.60	TWC
Sep-26-01	Telephone conferences with Brent Robinson; telephone conferences with Tom Gold and Richard Gold; telephone conferences with Carl Israel.	1.40	CAH
	Review bank documents and materials.	1.50	RMF
Sep-27-01	Telephone conference with Ted Pike; telephone conference with Deborah	0.60	CAH

	Mayfield; telephone conference with Tom Gold.		
	Review discovery documents.	0.50	RMF
Oct-01-01	Telephone conference with Mark Miller.	0.30	CAH
	Work on file; receipt and review pleadings regarding motion to quash from Robinson.	0.30	RMF
Oct-02-01	Several telephone conferences with Tom Gold and Deborah Mayfield; telephone conference with Mark Miller; attend status conference before district Judge Schindurling.	3.00	CAH
Oct-03-01	Telephone conference with Deborah Mayfield; telephone conference with Tom Gold and Richard Gold; telephone conference with Mark Miller.	0.70	CAH
	Work on service issues; review pleadings; work on motion and memorandum for judgment on pleadings.	2.40	RMF
Oct-05-01	Telephone conference with Deborah Mayfield; telephone conferences with Tom Gold and Richard Gold.	1.20	CAH
Oct-09-01	Telephone conferences with Brian Gerety; telephone conferences with Tom Gold and Richard Gold to continue settlement negotiations.	1.40	CAH
Oct-10-01	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Brian Gerety; review and revise settlement agreements.	1.00	CAH
Oct-12-01	Telephone conference with clients; telephone conference with Brian Gerety to continue settlement negotiations; telephone call to Mark Miller; telephone conference with attorney Steve McGrath representing EIEDC.	1.00	CAH ,5 *
Oct-15-01	Telephone conference with Brian Gerety; telephone call to Tom Gold and Richard Gold; telephone call to Mark Miller.	0.30	CAH
Oct-16-01	Telephone conference with Deborah Mayfield; telephone conference with Tom Gold and Richard Gold; review	2.00	CAH *



complaint filed by EIEDC; telephone conference with attorney Steve McGrath representing EIEDC; prepare acceptance of service accepting service of process on EIEDC claim.

Oct-17-01	Telephone call to Deborah Mayfield.	0.30	CAH	
Oct-22-01	Work on preparing default pleadings on Vreeken Lawsuit; intraoffice conference pertaining to service of process; telephone call to Richard Gold.	0.50	CAH	
Oct-23-01	Telephone conference with Tom Gold and Richard Gold; intraoffice conference to discuss completing service of process on Mr. Vreeken and entry of default against other defendants.	0.70	CAH	
Oct-24-01	Receipt and review minute entry regarding Vreeken deposition.	0.10	RMF	
Oct-25-01	Continue preparation of default pleadings.	0.20	RMF	
Oct-30-01	Work on answer to complaint.	0.30	RMF	
Oct-31-01	Telephone conference with attorney Mark Miller; telephone call to representative of Long-distance telephone charge Lease on delinquent payments; email to Tom Gold pertaining to curing of default on lease payments.	0.30	CAH	
Nov-02-01	Telephone conference with Richard Gold and Tom Gold; telephone call to Brent Robinson; work on preparing answer to complaint filed by EIEDC	0.90	CAH	*
Nov-06-01	Telephone conference with attorney Brent Robinson; telephone conference with Tom Gold and Richard Gold	0.70	CAH	
	Prepare answer to EIEDC complaint	2.10	RMF	*
	Complete and send notice of intent to enter default	0.10	RMF	
Nov-07-01	Continue work on EIEDC answer.	1.10	RMF	*
Nov-08-01	Telephone conference with Brent Robinson; telephone conferences with Richard Gold and Tom Gold; review	1.10	CAH	.6 *

and revise Answer to Complaint filed by  
EIEDC

Work on EIEDC matter; Conference with  
C. Homer; Telephone conference with  
Tom regarding responses

1.70

RMF

Nov-09-01

Telephone conference with Deborah  
Mayfield; telephone conference with  
Richard Gold and Tom Gold

0.70

CAH

Nov-13-01

Telephone conferences with Tom Gold  
and Richard Gold; telephone conference  
with Deborah Mayfield; telephone  
conference with attorney Mark Miller

1.50

CAH

Dec-20-01

CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

January 16, 2002

File #: 10199-000  
Inv #: 993650

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Nov-14-01	Telephone conferences with Tom Gold and Richard Gold; telephone conferences with Debra Mayfield to continue negotiations on possible settlement; telephone conference with attorney Mark Miller	1.10	CAH
Nov-15-01	Review correspondence from Richard Gold and Tom Gold pertaining to settlement terms; telephone conference with Debra Mayfield to discuss settlement terms; work on revising Settlement Agreement to be submitted to Debra Mayfield for review	1.50	CAH
	Intraoffice conference regarding revisions to settlement agreement; review email regarding same	0.50	TWC
Nov-16-01	Research Vreeken and service issues	2.50	RMF
	Work on revisions to settlement agreement	2.50	TWC
Nov-19-01	Continued work on drafting, review and revision of revised Settlement Agreement	1.90	CAH
	Work on service issues; Research	1.10	RMF
	Intraoffice conference regarding settlement terms and issues; work on revisions to settlement agreement	3.10	TWC
Nov-20-01	Telephone conferences with Tom Gold and Richard Gold to discuss settlement negotiations and revisions to settlement agreement	0.50	CAH
	Work on revisions to settlement	1.40	TWC

agreement; intraoffice conference  
regarding same.

Nov-26-01	Review correspondence received from Tom Gold pertaining to settlement agreement; work on revisions to settlement agreement; telephone conference with Richard Gold pertaining to settlement agreement	2.40	CAH
	Intraoffice conference regarding revised settlement agreement	0.70	TWC
Nov-27-01	Telephone conference with Tom Gold and Richard Gold; review and revise proposed settlement agreement; correspondence to Debra Mayfield to transmit settlement agreement for review	1.10	CAH
	Prepare e-mail correspondence	0.10	RMF
	Intraoffice conference regarding and work on revisions to settlement agreement	1.20	TWC
Nov-28-01	Intraoffice conference regarding status; review file.	0.20	RMF
Nov-30-01	Telephone conference with Richard Gold; review and revise correspondence to attorney Mark Miller; work on preparing discovery pleadings to Bank of Idaho	0.80	CAH
	Prepare notices of depositions duces tecum and serve by Fax and mail; Work on cross-claims; Work on discovery to Bank	2.60	RMF
Dec-03-01	Prepare pleadings for EIEDC and Bank of Idaho litigation	3.20	RMF *
Dec-04-01	Telephone conference with Tom Gold and Richard Gold; intra-office conference to discuss preparation of discovery pleadings; work on preparing discovery pleadings; telephone conference with Debra Mayfield	0.80	CAH
	Telephone call to Debra Mayfield; work on drafting, review and revision of interrogatories to Bank of Idaho, Notice of Deposition Duces Tecum to Bank of Idaho and Notice of Deposition to Vreeken	1.00	CAH

	Prepare second set of discovery and notices to take depositions of Bank of Idaho and Jan Vreeken	7.20	RMF
Dec-05-01	Telephone conference with Debra Mayfield; telephone conference with Tom Gold and Richard Gold; review correspondence from Richard Gold pertaining to interest payments to Citizens Bank; research pertaining to ownership of Vreeken house	1.60	CAH
	Prepare discovery pleadings	1.10	RMF
Dec-06-01	Telephone conferences with title company to check on status of title to Vreeken property; emails to Tom Gold; telephone calls to Mark Miller	0.20	CAH
	Research file	0.60	RMF
Dec-07-01	Telephone conference with Debra Mayfield; telephone calls to Tom Gold and Richard Gold	0.30	CAH
	Research Bank of Idaho UCC lien with Secretary of State	0.60	RMF
Dec-10-01	Telephone conference with Tom Gold and Richard Gold; telephone conference with Mark Miller pertaining to scheduling of deposition of bank personnel; telephone conference with Brent Robinson to discuss scheduling of depositions and obtaining information on arrangement between Lockwood and Bank of Idaho	1.10	CAH
	Contact court reporters regarding depositions; Prepare amended notice of deposition	0.40	RMF
Dec-11-01	Telephone conferences with Brent Robinson, Tom Gold, Richard Gold and Debra Mayfield to discuss scheduling of depositions; telephone conference with attorney Mark Miller	1.40	CAH
Dec-12-01	Telephone conferences with Brent Robinson; correspondence to Debra Mayfield to revoke prior settlement proposal; telephone conference with Mark Miller pertaining to deposition; review	2.30	CAH

documents to prepare for deposition of  
Bank of Idaho representative

Contact court reporter for Bank and  
Vreeken depositions

0.10

RMF

Dec-13-01

Telephone conference with client; prepare  
for deposition; participate in deposition of  
Scot Naudald

1.40

CAH

Dec-20-01

Telephone conference with Brent  
Robinson; review pleadings filed by  
EIEDC on Motion for Summary  
Judgment; transmit Motion for Summary  
Judgment and discovery pleadings to  
clients for review

1.30

CAH \*

Dec-21-01

Telephone conferences with Brent  
Robinson pertaining to deposition of Mr.  
Vreeken; schedule time for filing Motion  
for Summary Judgment against Lockwood  
entities; work on preparing documents for  
Motion for Summary Judgment

0.40

CAH

Dec-31-01

Telephone conference with Tom Gold;  
telephone conference with attorney Steve  
McGrath pertaining to continuing  
discovery response time on answers to  
discovery

0.30

CAH \*

Jan-03-02

Telephone conference with Tom Gold and  
Richard Gold; telephone conference with  
attorney Brent Robinson; review file to  
prepare for deposition of Mr. Vreeken

1.60

CAH

Jan-04-02

Telephone conferences with Tom Gold  
and Richard Gold; telephone conferences  
with attorney Brent Robinson

0.90

CAH

Prepare pleadings; Telephone conference  
with Tom and Richard; Work on  
deposition issues;

1.50

RMF

Jan-07-02

Prepare pleadings in EIEDC matter;  
Review discovery;

7.20

CAH \*

Several telephone conferences with Tom  
Gold and Richard Gold; telephone  
conferences with Brent Robinson;  
complete review of files to prepare for  
deposition of Mr. Vreeken

6.60

CAH

Jan-08-02

Continued preparation for deposition of  
Mr. Vreeken; participate in deposition

6.40

CAH

of Mr. Vreeken; telephone conferences with Tom Gold and Richard Gold to discuss deposition; telephone conference with Brent Robinson

Jan-09-02	Telephone conferences with Tom Gold and Richard Gold to discuss preparing response to request for admission and to review deposition of Y. Vreeken	1.30	CAH
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Jan-10-02	Telephone conferences with Tom Gold to prepare answers to request for admissions; work on review and revisions of answers to request for admissions	1.80	CAH
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Jan-14-02	Telephone conference with Tom Gold pertaining to responding to discovery; telephone conference with attorney Brent Robinson pertaining to negotiations to try to settle with EIEDC	0.90	CAH *
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THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 12, 2002

File #: 10199-000  
Inv #: 993833

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jan-17-02	Telephone conference with Tom Gold and Richard Gold; review discovery pleadings	0.30	CAH
Jan-21-02	Telephone call to Brent Robinson; telephone call to Steve McGrath's office; telephone conference with Tom Gold and Richard Gold	1.00	CAH ✱, 6
Jan-22-02	Telephone conference with Brent Robinson; telephone conference with Tom Gold and Richard Gold	0.60	CAH
	Telephone call from Mr. T. Gold regarding filing deadline; intraoffice conference regarding same; telephone call to Mr. T. Gold regarding same	0.30	TWC
Jan-23-02	Prepare answers to interrogatories and other discovery pleadings in response to discovery request by EIEDC.	1.60	CAH ✱
Jan-24-02	Appearance at status conference; telephone conference with Steve McGrath; telephone conference with Richard Gold and Tom Gold	1.50	CAH ✱
Jan-29-02	Telephone conference with Brent Robinson; telephone conference with Steve McGrath; telephone conference with Tom Gold; telephone conference with Brent Robinson	0.80	CAH ✱, 6
Feb-04-02	Telephone call to Brent Robinson; telephone conference with Tom Gold; work on preparing documentation to be filed in objection to EIEDC Motion for Summary Judgment	1.00	CAH ✱
Feb-06-02	Telephone conference with Tom Gold	0.30	CAH



Invoice #: 993833

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Feb-11-02

Telephone conference with attorney Mark  
Miller pertaining to re-scheduling of  
status conference; telephone conference  
with attorney Greg Crockett

0.60

CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

April 8, 2002

File #: 10199-000  
Inv #: 994354

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Feb-12-02	Review Motion to Add Additional Party Plaintiff filed by attorney Greg Crockett; review Affidavits, Brief and motions filed by Steve McGrath in EIEDC action in support of Motion for Summary Judgment; compile pleadings and transmit pleadings to Tom Gold for review	2.20	CAH * 1.5
Feb-15-02	Telephone conference with Tom Gold; review pleadings filed by Steve McGrath in support of motion for summary judgment; prepare to oppose motion for summary judgment	1.40	CAH *
Feb-19-02	Review correspondence from Tom Gold; work on preparing argument in opposition for motion for summary judgment filed by EIEDC; correspondence to attorney Brent Robinson	0.30	CAH *
Feb-20-02	Telephone conferences with Tom Gold; telephone conference with attorney Brent Robinson; review all pleadings and briefs to prepare for hearing on EIEDC Motion for Summary Judgment	2.30	CAH * 2.1
Feb-25-02	Attend court hearing on scheduling conference	1.00	CAH *
Feb-26-02	Telephone conference with attorney Steve Blaser	0.10	CAH
Mar-01-02	Telephone call to Tom Gold	0.10	CAH
Mar-05-02	Telephone conference with attorney Brent Robinson pertaining to picking mediator for court ordered mediation; telephone conference with attorney Steve McGrath to agree upon name of mediator	0.30	CAH *

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Mar-08-02	Telephone conference with Tom Gold	0.20	CAH
Mar-13-02	Telephone conferences with Steve McGrath; telephone conferences with Tom Gold pertaining to setting up date for mediation	0.50	CAH
Mar-15-02	Telephone conference with Tom Gold and Richard Gold	0.70	CAH
Mar-22-02	Review correspondence from attorney Paul Rippel pertaining to scheduling mediation	0.10	CAH
Mar-23-02	Review correspondence from attorney Paul Rippel	0.20	CAH
Mar-26-02	Review and revise documentation on motion to compel; telephone conference with clients; telephone conference with Paul Rippel pertaining to scheduling mediation involving Christianne Vreeken	1.00	CAH
Mar-27-02	Telephone conference with clients; telephone calls to attorney Paul Rippel	0.80	CAH
Mar-28-02	Review documents on mediation; review summary judgment decision issued by Judge Anderson; transmit opinion to clients for review; telephone conference with clients	1.90	CAH
Apr-01-02	Telephone conference with Tom Gold and Richard Gold; telephone call to attorney Paul Rippel representing Christine Vreeken; telephone call to attorney Brent Robinson	0.70	CAH

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THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

August 12, 2002

File #: 10199-000  
Inv #: 995463

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jan-08-02	Draft and prepare motion to consolidate in EIEDC matter	1.10	RMF *
Jan-09-02	Prepare and file motion to consolidate actions and motion to intervene in EIEDC matter; work on requests for admissions and other discovery; work on crossclaims and counterclaims	6.30	RMF * 3
Jan-10-02	Prepare and send to Richard Gold the Responses to Discovery, together with a copy of the Crossclaim and Counterclaim and the Motion to Intervene and Consolidate Actions and copies of Acceptance of Service executed by Jan Vreeken and on behalf of Gebroeders; Receipt and review response with changes from Richard Gold	4.60	RMF
	Fax and email copies of discovery interrogatories and requests for production and request Tom Gold review and prepare proposed draft answers; Email and Fax to Tom Gold copies of responses to requests for admission and copy of crossclaim and counterclaim and motion to intervene and consolidate actions; Review concerns raised in email	3.60	RMF
Jan-11-02	Continue work on discovery	2.50	RMF
Jan-14-02	Prepare and complete notice of service of discovery and responses to requests for admission	1.60	RMF
Jan-21-02	Work on interrogatories and discovery	2.50	RMF
Jan-22-02	Continue work on discovery responses; send to Tom for execution	1.60	RMF

	Prepare and Fax to Tom Gold proposed answers to interrogatories to be signed and faxed back by Wednesday the 23rd; Receipt and review questions and issues raised by Tom Gold in email to Charles Homer regarding matters in interrogatories	2.90	RMF
	Work on discovery	3.90	RMF
Jan-23-02	Receipt and review response to discovery from Tom Gold; continue work on file; Prepare and send by email copy of Vreeken deposition for Tom Gold to review; Preparation and mailing of Affidavit for Tom to execute and request to remember specific information	4.60	RMF
	Receipt and review affidavit modified and prepared by Tom regarding motion opposing summary judgment and issues relating to bank employees such as Countryman and Cudabach; Work on brief and affidavit; Send copies of Vreeken depositions; Receipt and review comments by Tom to EIEDC answer to interrogatories	2.60	RMF * 1.3
	Prepare notice of service of discovery and draft discovery	2.60	RMF
Jan-24-02	Correspond with Tom regarding files and depositions of Vreeken and ability to access; Work on file for motion to dismiss	0.60	RMF
	Attend hearing on motion to consolidate	0.20	RMF
Jan-27-02	Prepare and research for hearing	0.60	RMF
Jan-28-02	Prepare for and argue motion to consolidate cases before Judge Shindurling	1.90	RMF
Jan-29-02	Review issue relating to notice for motion to dismiss	0.20	RMF
Jan-31-02	Receipt and review Order from Bank of Idaho Court denying motions to consolidate	0.20	RMF
Feb-02-02	Receipt and review notice of hearing before Judge Shindurling to hear motion to dismiss	0.10	RMF

Feb-05-02	Prepare for hearing on motion for summary judgment; Continue work on brief and affidavits	2.80	RMF
Feb-06-02	Prepare and email Affidavit for EIEDC matter; Continue preparation of brief opposing motion for summary judgment	4.60	RMF *
Feb-07-02	Work on completing and serving affidavit of Tom Gold in opposition to motion for summary judgment; Complete and file memorandum in opposition to motion for summary judgment	4.60	RMF *
Feb-08-02	Prepare and Fax copies of Memorandum in Opposition to Motion for Summary Judgment, affidavit of Gold and affidavit of Vreeken	0.40	RMF *
	Prepare and file acknowledgment and acceptance of service by Vreeken and Geobroeder; Work on issues involving depositions; Research	1.60	RMF
Feb-11-02	Review brief in opposition of motion to amend and affidavits of Miller and Jones filed by Bank of Idaho	0.50	RMF
	Receipt and review affidavit by Vreeken opposing motion for summary judgment	0.40	RMF
Feb-12-02	Review note and comments from Tom regarding contractual arguments	0.60	RMF
Feb-18-02	Review supplemental brief filed by McGrath; Review reply brief and motion in support of motion to strike	1.20	RMF *
Feb-19-02	Correspondence regarding status and issues relating to the Bank of Christianne	0.30	RMF
Feb-20-02	Receipt and review email correspondence from Tom regarding positive research	0.20	RMF
	Locate, prepare and email Rule case to client; Research; Work on motion to compel	1.90	RMF
Feb-21-02	Attend hearing before Judge Schindurling on various pending matters	1.80	CAH
Mar-25-02	Motion to compel scheduled for April 10	0.20	RMF
Mar-27-02	Prepare motion to compel discovery of Vreeken and affidavit of Homer	2.10	RMF

Mar-28-02	Prepare and Fax and file Motion to compel discovery of Vreeken; Affidavit of Charles Homer; Notice of Hearing	4.60	RMF
	EIEDC Review courts summary judgment and memorandum in support of judgment	1.10	RMF *
	Schedule and prepare notice of hearing for April 12 before Judge Shindurling	0.30	RMF
Apr-01-02	EIEDC - Receipt and review order vacating hearing	0.10	RMF *
Apr-03-02	Review memorandum of costs and attorney fees	0.20	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

August 12, 2002

File #: 10199-000  
Inv #: 995464

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Apr-04-02	Telephone conference with all opposing counsel to discuss postponing mediation time and establishing new dates for deposition and mediation; telephone conference with Tom Gold and Richard Gold pertaining to new deposition times and mediation time	0.70	CAH
Apr-15-02	Telephone conference with Paul Rippel; telephone conference with Tom Gold and Richard Gold; telephone call to attorney Brent Robinson	0.30	CAH
	Prepare and Fax to Golds copies of correspondence from McGrath, Memorandum of Costs and proposed Judgment	0.50	RMF *
Apr-17-02	Correspondence to all parties to discuss continuation of mediation date and setting up times for depositions	0.50	CAH
Apr-18-02	Review judgment in EIEDC; Intraoffice conference regarding status and action	0.30	RMF *
Apr-28-02	EIEDC: Review judgment and language; Research motion to alter or amend; Work on motion and memorandum	3.10	RMF *
Apr-29-02	EIEDC: Research motion to alter or amend; Prepare motion and memorandum to alter or amend judgment to remove language regarding execution	2.20	RMF *
May-03-02	Receipt and review Lockwoods' and Vreeken's motion joining our motion to alter or amend judgment.	0.20	RMF
May-08-02	Telephone conference with Steve McGrath	0.10	CAH *

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	Receipt and review memorandum opposing our motion to alter or amend judgment; Research; Intraoffice conference regarding status	1.10	RMF *
May-09-02	Telephone conference with Steve McGrath	0.20	CAH *
May-13-02	Research discovery issues;	1.20	RMF
May-15-02	Prepare for and attend hearing on EIEDC matter of amendment to judgment;	2.30	RMF *
May-16-02	Receipt and review proposed EIEDC order;	0.10	RMF *
May-21-02	Intra-office conference to discuss setting up hearing date on Motion to Compel and filing Amended Crossclaim in Bank of Idaho case	0.30	CAH
	Research;	1.60	RMF
May-22-02	Work on motion to compel; Receipt and review depositions and review for motion to compel;	3.60	RMF
May-23-02	Telephone conference with Tom Gold	0.30	CAH
May-30-02	Telephone call with clients	0.50	CAH
Jun-01-02	Work on hearing on notice to compel; Telephone conference with counsel;	0.60	RMF
Jun-05-02	Telephone call to Steve McGrath's office; telephone call to Tom Gold	0.30	CAH *
Jun-11-02	Telephone calls to Steve McGrath	0.20	CAH *
Jun-18-02	Telephone conferences with Steve McGrath and Tom Gold	0.80	CAH *
Jun-20-02	Receipt and review Vreeken brief and opposing briefs;	1.50	RMF
Jun-21-02	Review and revise Brief and Affidavits in Support of Motion to Compel; prepare for hearing on Motion to Compel	1.20	CAH
	Westlaw research;	1.50	RMF
Jun-24-02	Prepare for and appear at court hearing on Motion to Compel Discovery	1.20	CAH

	Work on notice of appeal;	1.20	RMF *
Jun-27-02	Work on appeal; Review file and orders the subject of appeal; Research;	4.60	RMF *
Jun-28-02	Work on notice of appeal; Research; Draft notice of appeal; File notice of appeal;	5.60	RMF *
Jul-08-02	Telephone conference with clients; work on preparing briefs in support of motion to compel	0.60	CAH
Jul-09-02	Telephone conference with Tom Gold and Richard Gold; review pleadings and briefs on motion to compel	0.60	CAH
	Research and draft motion to compel;	4.70	RMF
Jul-10-02	Draft and research for motion to compel;	5.20	RMF
Jul-11-02	Draft, review and revise brief in support of motion to compel	1.60	CAH
	Continue draft of and research for brief in support of motion to compel;	7.90	RMF
Jul-12-02	Work on brief; Multiple calls and faxes with Golds; File brief;	6.50	RMF
Jul-15-02	Telephone conferences with clients pertaining to pending motion to compel discovery	0.30	CAH
Jul-24-02	Telephone conference with Tom Gold and Richard Gold pertaining to setting up mediation on appeal in Eastern Idaho Economic Development Company matter	0.30	CAH *
Aug-01-02	Telephone conferences with Mark Miller	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

September 12, 2002

File #: 10199-000  
Inv #: 995830

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Aug-14-02	Telephone conferences with Steve McGrath; telephone calls to Brent Robinson; telephone conference with Tom Gold; work on preparing mediation statement	1.80	CAH * .9
Aug-20-02	Telephone conference with Tom Gold and Richard Gold to discuss court opinion on Motion to Compel and to discuss scheduling of depositions	0.20	CAH
Aug-22-02	Review pleadings on motion to compel and memorandum of costs	0.30	CAH
Aug-27-02	Review Motion for Reconsideration filed by Vreeken counsel; transmit Motion for Reconsideration to clients	0.50	CAH
	Review motion for reconsideration	0.20	CAH
Aug-29-02	Telephone conference with Richard Gold	0.10	CAH
Sep-05-02	Correspondence to attorney Paul Rippel pertaining to scheduling of depositions; review and revise deposition notices	1.60	CAH
Sep-09-02	Telephone call to Paul Rippel	0.20	CAH
Sep-10-02	Telephone conference with Paul Rippel	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

October 11, 2002

File #: 10199-000  
Inv #: 996115

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jul-10-02	Draft and research for motion to compel;	5.20	RMF
Jul-11-02	Continue draft of and research for brief in support of motion to compel;	7.90	RMF
Jul-12-02	Telephone conferences with Tom Gold regarding brief on motion to compel; Draft modifications; Send and Receipt of modifications to and from Gold; Draft motion to extend time; Telephone conferences with counsel, Robinson and Rippel; Prepare transmittal letter to court; File motion; Work on brief; Multiple calls and faxes with Golds; File brief;	6.90	RMF
Jul-15-02	Review file and prepare scheduling memo;	0.60	RMF
Jul-26-02	Prepare transmittal to Golds regarding notice of cross appeal and correspondence from court of appeals and settlement conference; Prepare document; Review forms;	2.30	RMF *
Aug-13-02	Receipt and review court's opinion and order granting motion to compel;	0.70	RMF
Aug-14-02	Review pleadings;	1.60	RMF
Aug-16-02	Receipt and review e-mail correspondence from Tom regarding time availability in September and October for depositions and conferences;	0.30	RMF
Aug-20-02	Conference to review issues for depositions for Jan, Christianne, Hans and wife, Windell; Work on amendment to cross-claim and third party complaint involving EIEDC issues; Work on motion to compel; Review file regarding	2.30	RMF

	Robinson's filings and what he has failed yet to answer;		
Aug-21-02	Review and work on file; Research UCC liens filed with Secretary of State; Receipt and review e-mail correspondence from Tom; Work on motion to compel;	3.30	RMF
Aug-22-02	Work on pleadings;	0.60	RMF
Aug-26-02	Research regarding time for filing assignment; Work on memo regarding costs and attorney fees for motion to compel;	3.10	RMF
Aug-27-02	Receipt and review Christianne Vreeken's motion to reconsider motion to compel; Work on memorandum regarding costs and attorney fees;	1.10	RMF
Aug-28-02	Work on deposition matters; Work on amendment to pleadings; Prepare correspondence to Robinson and McGrath regarding EIEDC stipulation;	1.20	RMF
Aug-29-02	Work on additional motion to compel to Vreeken; Work on notices of depositions duces tecum for Vreeken, Windels, Van Der Sands, Christianne; Work on discovery matters;	2.80	RMF
Aug-30-02	Continue work on pleadings and motion to compel and notices of deposition; Receipt and review Lockwood, Gebroeder, and Vreeken's response to motion to reconsider;	2.10	RMF
Sep-04-02	Receipt and review Robinson's motion to reconsider; Review possibility of motion to strike based on timeliness; Prepare discovery;	2.60	RMF
Sep-05-02	Prepare discovery and pleadings; Prepare Request for Settlement Conference form for EIEDC matter for filing with Supreme Court;	6.30	RMF *
Sep-06-02	Continue preparation of request for settlement conference; Prepare transmittal letter to court;	0.30	RMF
Sep-11-02	Conference call with attorneys Brent Robinson and Paul Rippel to discuss	1.40	CAH

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	scheduling deposition; telephone conferences with Tom Gold		
	Work on discovery, motion to compel, affidavit and pleadings;	6.60	RMF
Sep-12-02	Telephone conference with Brent Robinson pertaining to scheduling time for depositions	0.30	CAH
	Work on amending pleadings and discovery issues;	0.50	RMF
Sep-13-02	Review documents on motion to compel and scheduling deposition	0.20	CAH
	Continue work on discovery issues and depositions and interrogatories;	0.60	RMF
Sep-16-02	Work on pleadings index and file; Work on depositions for Jan, Hans, spouse, Windell and corporations; Work on amendment; Work on motions;	6.90	RMF
Sep-17-02	Review pleadings in file; review and revise discovery documents; review and revise amended answer in counterclaim	2.20	CAH
	Continue work on amended crossclaim and third party claim; make comparisons; review file; work on motions; set hearing;	3.90	RMF
Sep-18-02	Review and revise pleadings on amended counterclaim and cross claim	0.30	CAH
	Continue work on pleadings, motions and notices for hearing; Prepare correspondence to court and to client;	4.30	RMF
Sep-19-02	Review correspondence from Court of Appeals; correspondence to Tom Gold; review correspondence from Brent Robinson on scheduling of hearing	0.50	CAH *
	Computer UCC search EIEDC; receipt and review letter from Robinson.	0.40	RMF
Sep-20-02	Correspondence to attorney Brent Robinson to discuss scheduling court hearing	0.20	CAH
	Work on exhibits to notices for duces tecum;	0.60	RMF

Sep-27-02	Work on pleadings; prepare amended motion for several hearings;	3.30	RMF
Sep-30-02	Prepare for hearing on motion to compel, motion to amend pleadings and motion for reconsideration; appearance at court hearings; telephone conferences with Tom Gold and Richard Gold to discuss results of hearing	3.60	CAH
	Prepare files for hearing;	0.90	RMF
Oct-01-02	Review hearing; research; prepare orders based on hearings;	5.20	RMF
Oct-02-02	Review UCC filings against Lockwood Idaho; transmit UCC filings to Brent Robinson; review and revise Orders on Motion to Compel, Motion to Amend and Motion for Reconsideration	1.00	CAH
	Prepare answer to crossclaim; continue work on orders; continue work on discovery matters; research;	7.70	RMF
Oct-03-02	Work on pleadings;	1.20	RMF
Oct-04-02	Receipt and review email; modify answer to crossclaim; work on discovery and pleadings;	1.10	RMF
Oct-08-02	Prepare pleadings;	0.60	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBBURN, MA 01801-2004

November 11, 2002

File #: 10199-000  
Inv #: 996470

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Oct-11-02	Review and revise discovery pleadings on request for production of documents	1.70	CAH
	Receipt and review Robinson discovery; Conference with Golds; Work on discovery matters;	7.50	RMF
Oct-14-02	Continue work on pleadings and discovery issues;	3.40	RMF
Oct-15-02	Work on amendments; Prepare correspondence to Robinson and Rippel;	2.30	RMF
Oct-16-02	Review and revise pleadings on amendment to answer to cross claim; review memorandum of operating agreement	1.00	CAH
	Prepare consents to amendment to answer to allow seventh defense; Prepare correspondence to counsel; Prepare memorandum of costs for motion to compel and motion for reconsideration; Work on discovery matters;	2.40	RMF
Oct-17-02	Continue work on memorandum of costs and fees;	1.80	RMF
Oct-21-02	Work on filings;	0.20	RMF
Oct-24-02	Message from Tom regarding Phil Morse;	0.20	RMF
Oct-25-02	Research regarding Phil Morse; Message to Tom regarding Morse personal injury claim; Telephone conference with Tom;	0.60	RMF
Oct-28-02	Work on appeal brief;	3.10	RMF
Oct-29-02	Work on file; Long telephone conference with Phil Morse;	3.30	RMF

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Oct-31-02	Receipt and review e-mail from Tom; work on EIEDC appellate brief.	2.10	RMF *
Nov-01-02	Telephone conference with Richard Gold; telephone conference with Brent Robinson	0.20	CAH
Nov-04-02	Work on preparing brief on appeal on EIEDC case	0.50	CAH *

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

December 10, 2002

File #: 10199-000  
Inv #: 996770

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Nov-04-02	Work on appeal brief;	5.50	RMF *
Nov-05-02	Continue work on appellate brief;	6.60	RMF *
Nov-06-02	Continue drafting and research for appeallate brief regarding motion for summary judgment;	7.60	RMF *3;
Nov-07-02	Telephone conferences with Brent Robinson; telephone call to attorney Steve McGrath	0.80	CAH * ,L
	Continue draft of appeal brief;	10.40	RMF *
Nov-08-02	Telephone conference with Tom Gold and Richard Gold pertaining to preparation of appeal brief	0.20	CAH *
	Continue draft of appeallate brief in EIEDC matter;	8.20	RMF *
Nov-09-02	Continue work on appellate brief;	0.60	RMF *
Nov-10-02	Continue work on draft of appellate brief in EIEDC;	2.10	RMF *
Nov-11-02	Review and revise appeal brief; several telephone conferences with Tom Gold and Richard Gold pertaining to appeal brief	2.30	CAH *
	Continue draft and research for appellate brief in EIEDC; Telephone conferences with Golds;	8.30	RMF *
Nov-12-02	Telephone conferences with Tom Gold; review and revise appeal brief; telephone conference with attorney Steve McGrath on collection efforts against Lockwood Idaho	1.00	CAH *
	Complete and mail appellate brief;	3.60	RMF *

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Invoice #: 996770

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Nov-13-02	Work on appeal brief and issues;	3.50	RMF *
Nov-14-02	Work on concerns with execution;	0.30	RMF *
Nov-15-02	Review documentation on MA lawsuit; telephone conferences with Tom Gold, Richard Gold and Massachusetts counsel to discuss procedure to take on pending Massachusetts action	0.70	CAH *
Nov-22-02	Review and revise Affidavit on EIEDC litigation in Massachusetts; transmit revised Affidavit; telephone conferences with Tom Gold	0.80	CAH *
Nov-25-02	Review and revise filed appellate brief;	0.90	RMF *
Nov-27-02	Correspondence to Brent Robinson and Paul Rippel pertaining to scheduling depositions; correspondence to Steve McGrath to provide information on levy and execution and provide funds for sheriff fees	1.50	CAH * 8
	Work on file and pleadings;	2.30	RMF
Dec-02-02	Work on pleadings matters;	0.50	RMF
Dec-03-02	Work on records;	0.30	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

January 8, 2003

File #: 10199-000  
Inv #: 997045

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Dec-04-02	Work on pleadings and records;	1.10	RMF
Dec-10-02	Work on pleadings and discovery matters;	2.10	RMF
Dec-11-02	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
Dec-18-02	Review and revise notice from court on appeal;	0.10	RMF *
Dec-19-02	Telephone conferences with Brent Robinson and Paul Rippel to schedule depositions; email to clients pertaining to scheduling of depositions	0.70	CAH
	Telephone conference with Robinson's office;	0.20	RMF
Dec-23-02	Telephone call to Steve McGrath's office on execution against Lockwood	0.20	CAH *
Dec-30-02	Telephone conference with Richard Gold; telephone conference with Paul Rippel pertaining to scheduling of depositions	0.70	CAH
	Work on discovery matters;	2.20	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 7, 2003

File #: 10199-000  
Inv #: 997338

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jan-13-03	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
Jan-16-03	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Jan-28-03	Review documents to prepare affidavit on dispute with EIEDC on Massachusetts action	0.20	CAH *
Jan-30-03	Telephone conference with Tom Gold; draft, review and revise affidavit to be used in Massachusetts action involving EIEDC	0.80	CAH *

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

March 17, 2003

File #: 10199-000  
Inv #: 997798

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jan-10-03	Work on Vreeken discovery	0.30	CAH
	Prepare for hearing; Review file and status	0.30	RMF
Jan-13-03	Prepare for and attend status conference hearing in judges chambers	1.80	RMF
Jan-15-03	Work on appeal issues	0.20	RMF *
Jan-16-03	Review appellate briefs regarding EIEDC appeal	2.00	RMF *
Jan-20-03	Work on EIEDC appeal; Research and review briefs	1.50	RMF *
Jan-21-03	Review and review court order regarding extension of time for briefs	0.20	RMF *
Feb-06-03	Review EIEDC appellate briefs and filing schedule	1.50	RMF *
Feb-10-03	Status Conference in Judges Chambers for Vreeken lawsuit	1.80	RMF
Feb-12-03	Telephone conference with Steve McGrath	0.30	CAH *
Feb-13-03	Telephone conference with Tom Gold	0.30	CAH
Feb-18-03	EIEDC appeal research	5.30	RMF *
Feb-19-03	Telephone conference with Steve McGrath pertaining to sheriff's levy and execution	0.50	CAH *
	Review and work on reply to appellate brief;	2.10	RMF *
Feb-24-03	Review pleadings filed by Steve McGrath on behalf of EIEDC in objection to third	0.20	CAH *

	party claim filed by Brent Robinson on sheriff's levy and execution		
Feb-25-03	Work on EIEDC Appeal research and brief	2.20	RMF *
Feb-26-03	EIEDC Appeal research and work on appellate reply brief	6.10	RMF *
Feb-27-03	Telephone conference with Steve McGrath; email to Tom Gold and Richard Gold pertaining to withdrawal of third party claim by Lockwood	0.30	CAH
	Continued work on appellate brief; Review briefs on file; Research	6.60	RMF *
	Continued work on appellate brief	3.60	RMF *
Mar-04-03	Work on discovery issues	0.50	RMF
Mar-06-03	Work on appeal research	0.80	RMF *
Mar-07-03	Work on discovery matters	4.60	RMF
	Work on appeals issues and research	1.50	RMF *
Mar-08-03	Work on appellate brief	0.60	RMF *
Mar-09-03	Research; Review prior appellate briefs	1.20	RMF *
Mar-10-03	Telephone conference with Tom Gold and Richard Gold	0.80	CAH
	Research; Draft Appellants Reply Brief; Review appellate pleadings	6.80	RMF *

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

May 13, 2003

File #: 10199-000  
Inv #: 998289

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-11-03	Review and revise appeal brief	0.50	CAH *
	Continue work on appellate reply brief; continued research; prepare and send brief via e-mail to Tom	9.20	RMF *
Mar-12-03	Correspondence to clients pertaining to result of sheriff's sale and levy of assets of Lockwood; telephone conference with Tom Gold and Richard Gold pertaining to revisions to reply brief	0.50	CAH *
	Continued work on appellate reply brief matters	3.50	RMF *
	Continue work on brief	1.80	RMF *
	Attend auction at Hendrickson's Pro Tow and Westergard's Moving and Storage. Prepare memo to CAH regarding bids and sale prices of items auctioned.	2.00	RS *
Mar-13-03	Review reply brief	0.20	CAH *
	Review and review modifications and suggestions from Tom; Prepare and finalize appellate reply brief and mail brief and all copies	3.50	RMF *
Mar-17-03	Review notice received from Court of Appeals on assignment of EIEDC case on appeal to Idaho Supreme Court	0.20	CAH *
Mar-25-03	Intra-office conference to discuss preparation of pleadings on discovery matters	0.30	CAH
	Work on discovery responses and motion for further sanctions	6.50	RMF



Apr-07-03	Work on discovery for Christianne Vreeken matters.	1.20	RMF
Apr-08-03	Telephone conference with Tom Gold; work on response to discovery	0.50	CAH
Apr-09-03	Intra-office conference to review discovery responses	0.20	CAH
Apr-16-03	Review and revise pleadings on amendment to answer to cross claim; review Memorandum Operating Agreement	1.00	CAH
Apr-23-03	Telephone conference with Tom Gold	0.20	CAH
Apr-29-03	Telephone conference with Tom Gold pertaining to providing answers to interrogatories	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

July 7, 2003

File #:

10199-000

Inv #:

998941

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-19-03	Notice of filed brief	0.20	RMF ✱
Apr-01-03	Work on motion to compel and in camera inspection	2.30	RMF
Apr-02-03	Review pleadings file	0.20	RMF
Apr-08-03	Message; Response to discovery; Review case files and pleadings for names of potential witnesses and issues;	5.20	RMF
Apr-09-03	Continue review files for potential witness names and issues; Draft proposed responses;	3.50	RMF
Apr-16-03	Contact regarding status of discovery	0.20	RMF
Apr-17-03	Review files for discovery	0.20	RMF
Apr-21-03	Prepare discovery questions	0.20	RMF
Apr-23-03	Review file for time deadlines and status	0.30	RMF
Apr-29-03	Prepare e-mail relating to questions and concerns and response to discovery	0.50	RMF
May-05-03	Review correspondence on answers to interrogatories received from Tom Gold	0.30	CAH
	Review affidavits relating to discovery responses	0.80	RMF
May-13-03	Work discovery	0.20	RMF
May-21-03	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
May-27-03	Work on discovery matters	1.10	RMF
	Telephone conference with CAH regarding work on motion to	1363 2.60 -	RMF

	compel; Review pleading and discovery files; Review prior orders relating to motion to compel;		
Jun-16-03	Telephone conference with Tom Gold; review discovery documentation and pleadings	0.90	CAH
Jun-19-03	Telephone conferences with Tom Gold and Richard Gold	0.30	CAH
Jun-20-03	Prepare response to discovery; review all pleadings and file; telephone call to Brent Robinson	2.20	CAH
Jun-23-03	Review discovery	0.10	CAH
Jun-30-03	Review pleadings files; Prepare motion to compel and affidavit in support of motion to compel; Review files for unanswered discovery to include in motion to compel; Review files to verify compliance with discovery responses to date;	8.20	RMF
Jul-01-03	Review and revise motion to compel discovery, answers to interrogatories and notice of depositions	1.40	CAH
	Conference with CAH; Telephone conference with Tom to review status, legal issues, discovery; Continue work on Motion to Compel and Affidavit in Support; Review counterclaim to verify pleading Massachusetts Law 93A claim; Work on preparation of notices of depositions; Prepare and Fax serve on parties notice of intent to take default against all cross defendants and third party defenddants for failure to respond to amended answer and counterclaim;	7.70	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

September 23, 2003

File #: 10199-000  
Inv #: 999770

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jul-02-03	Telephone conference with Tom Gold and Richard Gold; review discovery pleadings	0.50	CAH
	Telephone conferences with Tom regarding requests to Fax prior order, memorandum, answer/crossclaim; Prepare modifications to response to discovery to include Richard; Prepare modifications to Affidavit;	2.10	RMF
	Continue work on affidavit, motion to compel, exhibits to affidavit, and notices of deposition;	2.30	RMF
Jul-03-03	Review motion to compel discovery	0.20	CAH
	Telephone message from Tom; Telephone conference with Tom regarding motion to compel and affidavit; Prepare deposition notices for all adverse parties; Complete modification to affidavit of Charles A. Homer regarding motion to compel; Complete modification to motion to compel; Prepare notice of discovery for response to discovery; Prepare letters to Robinson and Rippel; Complete and file with court, Fax and Federal Express copies of the motion to compel, affidavit in support of motion to compel, copies of exhibits; Telephone conference with court regarding date for hearing on motion to compel;	5.30	RMF
Jul-07-03	Work on Gold pleadings and discovery issues; Fix hearing dates;	7.40	RMF
Jul-08-03	Telephone conference with Tom Gold and Richard Gold	0.80	CAH

	Telephone conference with Paul Rippel regarding deposition dates and scheduling issues, discuss discovery obligations and order compelling information; Continue work on discovery; Review files relating to discovery issues; Prepare notices of deposition for all adverse parties;	7.80	RMF
Jul-09-03	Review notices on notice to take deposition pleading; telephone conference with Brent Robison	0.70	CAH
	Prepare notices of deposition and exhibits relating to duces tecum; Set notices; Complete and file with court all notices of deposition and serve all notices on all parties by Fax and/or personal delivery;	8.10	RMF
Jul-10-03	Telephone conference with Richard Gold	0.70	CAH
	Work on files and pleadings; Telephone conference with Tom regarding sending box of documents related to discovery matters;	4.20	RMF
Jul-11-03	Telephone conferences with Tom Gold and Richard Gold; telephone conferences with Brent Robinson pertaining to scheduling of hearing; prepare for hearing	1.00	CAH
	Continue review of files relating to discovery matters;	2.60	RMF
	Review documents, discovery responses, pleadings, discovery inquiries; collect and compile documents necessary for hearing on motion to compel; Receipt of letter from Robinson relating to discovery and hearing on motion to compel;	1.80	RMF
Jul-14-03	Telephone conferences with Brent Robinson, Tom Gold and Richard Gold; work on review of documents on request for production of documents; prepare for hearing	2.60	CAH
	Prepare file for court hearing; Work on files and preparation for litigation of issues;	2.60	RMF
Jul-15-03	Prepare for hearing on motion to compel; attend hearing on motion to compel; correspondence to Brent Robinson and	3.30	CAH

	Paul Rippel pertaining to scheduling of depositions; review document		
	Verify files for hearing; Receipt of instructions by Judge to preparation of order relating to motion and appeal; Work on order;	1.40	RMF
Jul-18-03	Review and compilation of documents produced by Tom Gold and Richard Gold in preparation for production of documents on discovery matters in pending litigation	7.00	CAH
	Review, prepare and organize litigation files and evidence;	4.60	RMF
Jul-21-03	Telephone conference with Paul Rippel; review correspondence from Brent Robinson	0.30	CAH
Jul-22-03	Telephone conference with Richard Gold	0.20	CAH
Jul-23-03	Telephone conferences with Brent Robinson, Paul Rippel and Tom Gold pertaining to discovery matters	1.20	CAH
	Intra-office conference regarding appeals hearing date and order to research cases by court in interim;	0.80	RMF *
Jul-24-03	Continue work on EIEDC cases on appeal; Review Robinson pleadings;	2.30	RMF *
Jul-28-03	Telephone conferences with Brent Robinson; additional telephone conferences with Brent Robinson	0.70	CAH
	Work on deposition matters and pleadings;	1.10	RMF
Jul-30-03	Telephone call to attorney Paul Rippel; telephone conference with Tom Gold; correspondence to Brent Robinson and Paul Rippel pertaining to changing time for deposition; amend notice of depositions	2.20	CAH
	Work on and prepare amended notices of deposition for Jan Vreeken, LPC Idaho, LPC, LEBV, GMMBV and prepare notices of depositions and notices duces tecum for Hans and Ellen Van Der Sande; Prepare and send correspondence to	6.60	RMF

	Robinson and Rippel; File amended notices of deposition with court.		
Jul-31-03	Telephone conference with Tom Gold and Richard Gold; telephone conferences with Paul Rippel and Brent Robinson	0.80	CAH
	Complete issues relating to amendments to notices of deposition; Contact and reschedule court reporter;	0.80	RMF
Aug-01-03	Telephone conferences with Tom Gold and Richard Gold; continued review and organization of all documents to be provided in response to request for production of documents and review and compile documents for depositions	10.00	CAH
	Review deposition of Jan Vreeken regarding information of payment to Bank of Idaho allegedly by Christianne.	2.10	RMF
Aug-04-03	Telephone conference with Paul Rippel	0.20	CAH
Aug-05-03	Work on status of pleadings and documents and evidence files.	0.80	RMF
	Christianne Vreeken failed to appear at deposition; Review options for contempt and sanctions for failure to attend by party plaintiff.	1.20	RMF
Aug-06-03	Telephone conference with Tom Gold and Richard Gold	0.80	CAH
Aug-07-03	Telephone conference with clients	0.30	CAH
	Work on sanctions issues and pleadings.	1.30	RMF
Aug-08-03	Research and work on sanctions issues for Christianne's failure to appear and for incomplete responses by Jan Vreeken and the companies to discovery;	4.60	RMF
Aug-11-03	Work on pleadings and sanctions issues.	0.80	RMF
Aug-12-03	Work on pleadings.	1.20	RMF
Aug-13-03	Telephone conferences with Tom Gold	0.30	CAH
Aug-14-03	Telephone conferences with Tom Gold and Richard Gold	0.60	CAH

	Review EIEDC pleadings for pre-hearing research.	2.30	RMF ✱
Aug-18-03	Intra-office conference to prepare motion for sanctions against Christianne Vreeken	0.80	CAH
	Prepare motion for sanctions against Christianne Vreeken; Affidavit in support of motion for sanctions and proposed order for court.	6.20	RMF
Aug-19-03	Review documents to be produced to Brent Robinson	1.20	CAH
	Continue work on affidavit and motion for sanction and proposed order. Schedule hearing for sanctions motion.	1.10	RMF
	Establish hearing for Christianne Vreeken motion for sanctions.	0.20	RMF
Aug-20-03	Telephone conferences with Tom Gold and Richard Gold; work on reviewing file to prepare for depositions	0.60	CAH
Aug-21-03	Telephone conferences with Brent Robinson; telephone conference with Tom Gold; prepare and review additional motion to compel discovery	0.50	CAH
	Review issues involving witnesses and parties in depositions. Prepare and Fax service of third set of requests for production of documents on LPC for credit card statements;	1.50	RMF
Aug-22-03	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Brent Robinson	0.40	CAH
	Research and prepare memo for evidentiary matters involving the possible exclusion of witnesses from depositions. Prepare and Fax serve notice of third series of discovery for additional information from corporate parties.	2.50	RMF
Aug-25-03	Review of all documentation produced by Brent Robinson; compile documents to prepare for deposition questioning; compile pleadings for deposition questioning and for oral argument on motions to compel	8.60	CAH



Aug-26-03	Continued work on review of documentation and compiling documentation; prepare questions for deposition	10.50	CAH
	Work on discovery matters regarding approaching hearings and depositions.	2.30	RMF
Aug-27-03	Telephone conferences with Brent Robinson; review pleadings on motion to compell filed by Paul Rippel; prepare mediation letter to Dwight Baker	2.00	CAH
	Research and review materials and schedule depositions for 3 Lockwood employees in the Vreeken matter. Prepare subpoenas duces tecum.	1.60	RMF
Aug-28-03	Telephone conferences with Tom Gold and Richard Gold; compile documents to prepare for deposition; review and revise mediation statement provided to attorney Dwight Baker	3.00	CAH
	Work on amended notices of depostion in the Vreeken matter. Review and prepare subpoenas and notices for deposition of employees of Lockwood.	3.60	RMF
Aug-29-03	Telephone conference with Tom Gold; revise mediation letter to Dwight Baker; prepare for oral argument on motion to compel	2.20	CAH
	Complete, execute and have served copies of subpoenas and notices of deposition for Lockwood Idaho employees. Verify scheduling of all depositions for upcoming barage of depositions in the Vreeken matter. Verify Saturday schedules and other depos with court reporter. Work on discovery matters for upcoming hearings.	2.40	RMF
Sep-02-03	Attend court hearing to oral argue motion to compel against Christianne Vreeken and defend motion to compel filed by Brent Robinson	1.60	CAH
	Work on EIEDC matter for supreme court hearing; Review upcoming depositions and status of subpeonas. Receive	2.20	RMF * 1.1

	instructions regarding court orders and status of motions;			
Sep-03-03	Conferences with Tom Gold and Richard Gold to review documents and prepare for depositions	11.30	CAH	
Sep-04-03	Conferences with Tom Gold and Richard Gold to prepare for deposition; take deposition of Jan Vreeken; review documentation and prepare for depositions of Hans Vandersande and Ellen Vandersande	13.60	CAH	
	Work on EIEDC matter.	1.00	RMF	*
Sep-05-03	Participate in depositions of Ellen Vandersande; Hans Vandersande; Jan Vreeken and Tom Gold; review briefs and prepare for oral argument on supreme court hearing	11.30	CAH	
Sep-06-03	Continued with depositions of Ellen Vandersande and Tom Gold; work on preparing oral argument for supreme court hearing	13.80	CAH	
Sep-08-03	Continue with depositions of Tom Gold; Bill Wendells; Melanie Harris and other employees of Lockwood Idaho; continued preparation for oral argument before Idaho Supreme Court on EIEDC appeal	13.30	CAH	* 7.2
Sep-10-03	Travel to and from Pocatello for Supreme Court hearing; participate in oral argument for Supreme Court hearing; participate in mediation with Dwight Baker as the mediator; conferences with Tom Gold and Richard Gold	12.00	CAH	*
Sep-22-03	Receipt and review discovery and motion to compel propounded by C Vreeken; Confer with CAH;	0.80	RMF	
Sep-23-03	Work on response to C Vreeken discovery and motion to compel;	0.80	RMF	

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

November 21, 2003

File #: 10199-000  
Inv #: 30379

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Sep-05-03	Work on matters relating to depositions.	2.60	RMF
Sep-18-03	Work on orders and discovery.	1.60	RMF
Sep-23-03	Prepare objections to C Vreeken discovery.	1.00	RMF
Sep-24-03	Review deposition transcripts; transmit deposition transcripts to Tom Gold	0.30	CAH
Sep-29-03	Review pretrial order to schedule time for deposition deadlines and pretrial hearing	0.20	CAH
	Review files for orders and unanswered pleadings.	1.10	RMF
Sep-30-03	Review discovery and pretrial order to schedule dates for discovery; telephone call to Paul Rippel	0.90	CAH
	Review pleadings and discovery issues and open matters.	2.60	RMF
Oct-01-03	Research issues relating to discovery and evidentiary matters.	2.30	RMF
Oct-02-03	Work on compiling documents in file; telephone conference with Tom Gold	1.50	CAH
Oct-13-03	Telephone conference with Tom Gold and Richard Gold; review deposition transcripts and forward transcripts to Tom Gold and Richard Gold for review; review witness list and work on setting up interviews of witnesses in preparation for trial	2.30	CAH
	Work on discovery and pleading for witness preparation and investigation.	2.50	RMF

Oct-14-03	Telephone conference with attorney Paul Rippel	0.20	CAH
	Review depositions.	0.30	RMF
Oct-15-03	Review witness list; prepare questions for interviews of witnesses	0.90	CAH
	Work on discovery matters and matters involving witnesses.	3.50	RMF
Oct-16-03	Work on contacting witnesses and witness preparations.	2.60	RMF
Oct-17-03	Work on contacting witnesses and preparations.	1.50	RMF
Oct-18-03	Work on discovery and witness issues in preparation of trial.	3.40	RMF
Oct-19-03	Work on witnesses.	2.20	RMF
Oct-20-03	Work on pleadings and witness preparation.	3.30	RMF
Oct-21-03	Work on witness preparation and contact.	0.30	RMF
Oct-22-03	Research pertaining to deposition by telephone	0.30	CAH
	Research discovery and deposition matters relating to parties. Work on witness matters.	2.10	RMF
Oct-27-03	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
	Work on potential witnesses and outstanding issues.	0.80	RMF
Oct-30-03	Intra-office conference to discuss preparation of additional discovery pleadings; review deposition transcripts; telephone conference with Tom Gold and Richard Gold	2.20	CAH
	Intraoffice conference regarding depositions and discovery of witnesses. Prepare notice of discovery for Christianne setting new deposition and duces tecem for documents.	0.80	RMF
Oct-31-03	Intra-office conference on preparation of notice of deposition of Christianne	0.60	CAH

	Vreeken and preparation of request for production of document		
	Work on Christianne notice of deposition and discovery requests. Prepare additional discovery interrogatories and requests for production based upon depositions.	4.50	RMF
Nov-03-03	Telephone conferences with Tom Gold and Richard Gold; work on preparing discovery pleadings	0.90	CAH
	Telephone conference with Chuck and Richard and Tom regarding potential liability and amendment of complaint for cause of action against Hans. Review depositions. Work on witness matters.	1.80	RMF
Nov-04-03	Work on discovery pleadings and issues for depositions. Telephone conference with Tom and Richard regarding issues relating to amendment of pleadings against Hans and witnesses to be deposed in Boston.	2.10	RMF
Nov-05-03	Telephone conferences with Tom Gold and Richard Gold to schedule depositions; work on preparing deposition notices	0.40	CAH
	Work on notices of depositions taken for the purpose of trial for Boston depositions. Research legal issues regarding depositions, notice etc. Prepare correspondence to Rippel and Robinson to Fax discovery documents. Telephone conference with Richard and Tom regarding status, witnesses, potential action against Hans and possibility of amendment of pleadings.	3.90	RMF
Nov-06-03	Telephone conference with Tom Gold; work on preparation for depositions; review deposition notices; telephone call to Brent Robinson	1.10	CAH
	Review and analyze memorandum regarding liability of Hans; Verify delivery of notices of deposition for Boston; Work on discovery pleadings.	2.10	RMF
	Work on file and discovery issues.	3.80	RMF

Nov-07-03	Telephone conferences with Tom Gold and Richard Gold; telephone conferences with Brent Robinson	0.30	CAH
Nov-08-03	Review and organize file; prepare for depositions to be held in Boston; telephone call to Jerry Ceuppens; email to Jerry Ceuppens	3.30	CAH
Nov-10-03	Telephone conferences with Tom Gold and Richard Gold; court appearance on Motion to Quash Depositions	2.00	CAH
	Work on discovery issues and witnesses.	0.30	RMF
Nov-11-03	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Jerry Ceuppens; review motion to compel filed by Paul Rippel	3.60	CAH
	Intraoffice conference regarding issues relating to discovery responses and upcoming hearings and issue relating to new trial setting. Work on discovery and pleadings issues.	2.80	RMF
Nov-12-03	Work on discovery issues.	0.50	RMF
Nov-13-03	Work on file discovery and witness matters.	0.60	RMF
	Receipt and review of Fax from Rainey regarding letter from Farmers Insurance.	0.10	RMF

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 23, 2004

File #: 10199-000  
Inv #: 31372

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Nov-20-03	Work on preparing argument on Motion to Compel	0.50	CAH
	Prepare discovery responses. Research discovery issues in anticipation of hearing. Prepare brief.	7.50	RMF
Nov-21-03	Telephone conferences with Tom Gold and Richard Gold; review and revise answers to interrogatories submitted by Paul Rippel; prepare Affidavit in opposition to motion to compel; legal research on motion to compel; compile documents to prepare argument on motion to compel	7.30	CAH
	E-mail correspondence with Tom; Telephone conferences with Tom regarding hearing and discovery e-mailed; Prepare modifications to discovery and re-email; Research; Prepare for hearing;	3.50	RMF
Nov-24-03	Prepare for court hearing on Rippel motion to compel; appearance at court hearing; telephone conference with Tom Gold and Richard Gold	2.80	CAH
	Telephone conference.	0.80	RMF
Nov-25-03	Review opinion on EIEDC appeal; telephone conferences with Tom Gold and Richard Gold to discuss appeal; telephone conference with attorney Steve McGrath	1.20	CAH *
	Work on matter relating to EIEDC matter.	0.30	RMF *
Dec-01-03	Telephone conference with Tom Gold and Richard Gold	0.30	CAH

Dec-08-03	Correspondence to Steve McGrath on offer of purchase judgment from EIEDC	0.30	CAH *
Dec-16-03	Work on issues regarding motion for reconsideration.	0.50	RMF *
Dec-22-03	Telephone conferences with Tom Gold; telephone conferences with Brent Robinson	0.50	CAH
Jan-05-04	Telephone conference with Steve McGrath; telephone conference with Tom Gold and Richard Gold	0.30	CAH *
	Review discovery and EIEDC matter. Receipt email from Richard. Research deposition matters.	2.10	RMF * / 1
Jan-07-04	Research issues for motion for reconsideration.	1.30	RMF
Jan-09-04	Research motions. Review discovery problems.	2.60	RMF
Jan-12-04	Reciept of email from Tom. Research Hague convention and letters rogatory matters.	2.30	RMF
	Review Fax received from Tom regarding letters rogatory.	0.70	RMF
Jan-14-04	Conference call with Tom Gold, Richard Gold and Mr. Dickburst pertaining to obtaining testimony of Jerry Ceupens in Netherlands	0.50	CAH
	Receipt and review email from Golds regarding state department. Research issues relating to Netherlands deposition or letters rogatory.	5.50	RMF
Jan-16-04	Telephone conference with Tom and Richard Gold	0.30	CAH
Jan-22-04	Telephone conference with Steve McGrath	0.20	CAH *
Jan-29-04	Telephone conference with Tom Gold and Richard Gold; review pre-trial order to establish cut off dates on trial setting	0.40	CAH
Feb-03-04	Telephone call to Paul Rezendes	0.20	CAH *
Feb-04-04	Telephone conference with Paul Rezendes pertaining to EIEDC hearing in MA	0.40	CAH *



Feb-09-04	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
	Work on files pertaining to EIEDC claims and collection efforts in Mass. Work on emailed issues from Paul Rezendes.	1.20	RMF *
Feb-10-04	Telephone conferences with Tom Gold and Mr. Ditvorst	0.80	CAH
	Email correspondence and telephone conversation with Paul Rezendes regarding EIEDC matter and Mass collection efforts. intraoffice conference; Review file regarding negotiations and Sheriff's execution and fees on Lockwood Idaho property.	2.30	RMF *
Feb-11-04	Work on EIEDC related matters. Review files.	1.60	RMF *
Feb-16-04	Work on discovery issues.	1.10	RMF
Feb-17-04	Telephone conferences with Tom Gold and Paul Rezendes; compile documentation to be provided to Tom Gold on McGrath attorney fees; compile documentation on share sale to be provided to Paul Rezendes	1.20	CAH *
Feb-18-04	Review file and prepare for hearing on EIEDC request for approval of legal fees; participate in hearing on the request for approval of fees.	1.20	CAH *
	Receipt and review and send email correspondence. Review EIEDC matters.	0.60	RMF *

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

March 19, 2004

File #: 10199-000  
Inv #: 31654

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Feb-21-04	Correspondence to Tom Gold; review judgment amending order for attorney fees	1.30	CAH *
Feb-24-04	Telephone conferences with Tom Gold and Richard Gold	0.70	CAH
Mar-02-04	Correspondence to Stephen McGrath pertaining to offer EIEDC judgment	0.80	CAH *
Mar-08-04	Review files; work on preparing motions on Ceuppens deposition and motion to compel discovery; review correspondence from Tom Gold	0.80	CAH
Mar-09-04	Review and compile documents in file; work on preparing discovery pleadings and correspondence to Paul Rippel and Brent Robinson	3.90	CAH
Mar-10-04	Draft Affidavits and Motion for Protective Order and Sanctions pertaining to Ceuppens deposition; draft deposition notice for Christianne Vreeken; correspondence to Brent Robinson and Paul Rippel; work on Motion for Reconsideration on tax information issues; telephone conference with Tom Gold	5.50	CAH
Mar-11-04	Telephone conference with Tom Gold.	0.10	CAH
Mar-16-04	Work on affidavit for Phil Morse and motion for reconsideration.	1.20	RMF
Mar-17-04	Review and work on affidavit for Morse. Review telephone conversation transcript and notes. Work on motion for reconsideration.	2.70	RMF

Mar-18-04	Work on affidavit of Tom Gold regarding Ceuppens. Work on brief in support of motion regarding Ceuppens. Continue affidavit for Morse. Work on supporting documents and arguments.	2.50	RMF
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THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

April 12, 2004

File #: 10199-000  
Inv #: 31929

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-19-04	Telephone conference with Tom Gold on assignment of judgment of EIEDC; telephone conference with Steve McGrath	0.60	CAH *
	Work on pleadings, motions, affidavits and brief.	4.10	RMF
Mar-22-04	Work on pleadings and brief supporting motion for order and dismissal.	2.10	RMF
Mar-23-04	Correspondence to Tom Gold; correspondence to Brent Robinson; correspondence to Steve McGrath; correspondence to Paul Rippel	0.40	CAH * .2
	Continue research and preparation of pleadings, motions and briefs.	1.90	RMF
	Continue work on Brief in support of motion for protective order and sanctions, research; Prepare affidavits and pleadings.	6.50	RMF
Mar-24-04	Review correspondence from Steve McGrath; transmit correspondence to Tom Gold from Steve McGrath; telephone conference with Tom Gold and Richard Gold	0.80	CAH *
	Continue work on pleadings, brief supporting motion and affidavits for protective order and sanctions and motion for reconsideration and motion to compel discovery.	1.80	RMF
	Work on motions to compel.	2.10	RMF
Mar-25-04	Prepare motions to compel response to discovery, exhibits, and affidavits against Christianne Jan, and corporate parties.	6.60	RMF

Mar-26-04	Telephone conferences with Tom Gold and Richard Gold; review and revise Motion and pleadings on Motion to Compel	0.70	CAH
	Continue work on briefs in support of motion for sanctions and to compel, affidavits and other pleadings. Email from Tom regarding motion for sanctions; Email Tom and Richard with all documents; Prepare exhibits for motion to compel; Review Vreeken depositions for memorandum.	8.10	RMF
Mar-27-04	Work on pleadings.	1.30	RMF
Mar-29-04	Telephone conference with Tom Gold and Richard Gold	0.10	CAH
	Work on pleadings and motions. Review amendments to affidavit and brief suggested by Tom March 26. Revise documents in accordance with Tom's revisions. Email revised documents regarding Ceuppens motion to Tom for review.	1.10	RMF
	Work on pleadings. Telephone conference with Tom and Richard regarding modifications and execution of affidavits in California. Prepare Fax affidavit documents to Tom in California.	1.40	RMF
	Modify and revise documents. Fax copies of Tom's Affidavits to California for review and execution.	0.80	RMF
Mar-30-04	Correspondence to Steve McGrath on purchase of EIEDC judgment; telephone conferences with Tom Gold and Richard Gold; review and revise documents on motions to compel	2.20	CAH * 1.1
	Receipt and review comments from Tom on brief in support of motion to reconsider. Work to finalizes changes to briefs, motions and affidavits involving motion to reconsider, to compel, and for protective order regarding Ceuppens' testimony. Review EIEDC matter and documents necessary to prepare settlement and assignment documents.	8.60	RMF * 4.3

Mar-31-04	Review and revise documentation on motion to compel and motion for reconsideration	0.30	CAH
	Prepare motion for sanctions against Christianne for failure to appear at Deposition and affidavit in support of motion; Work on assignment of judgment from EIEDC to Richard;	4.80	RMF * 2.4
	Work on compiling various motions and documents and exhibits for filing with court;	3.40	RMF
Apr-01-04	Work on pleadings and discovery.	5.90	RMF
	Work on discovery and EIEDC assignment.	2.50	RMF * 1.3
Apr-02-04	Work on assignment. Email draft EIEDC assignment to Tom and Richard for review.	2.30	RMF *
	Continue to work on discovery matters.	0.30	RMF
Apr-05-04	Review and revise assignment on EIEDC judgment	0.30	CAH *
	Conference with Tom and Richard regarding modifications to EIEDC Assignment. Receipt and review of modifications to assignment. Modify assignment. Prepare correspondence with McGrath for assignment. Work on discovery matters involving Bank of Idaho.	4.10	RMF * 2.0
Apr-06-04	Telephone conferences with client; telephone conference with attorney Paul Rippel on scheduling of hearings	0.50	CAH
	Continue work on EIEDC assignment. Receipt and review emails and modification from Tom and Richard. Telephone conference with McGrath. Effect modifications and Fax letter and assignment to McGrath.	2.30	RMF *
Apr-07-04	Telephone conferences with Paul Rippel on scheduling of hearing; telephone call to Brent Robinson on scheduling of hearing	0.60	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

June 7, 2004

File #: 10199-000  
Inv #: 32543

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Apr-08-04	Telephone conference with client; telephone conferences with Brent Robinson and Paul Rippel pertaining to scheduling of hearing on motions to compel	0.50	CAH
	Work on issues involving timing and re-scheduling of motions.	0.40	RMF
Apr-09-04	Contact Shindurling's office regarding hearings. Telephone conferences with clerks. Prepare notices of hearing and notice of amended hearing separating matters to hearing on 5-3. Work on motions and file.	2.60	RMF
Apr-12-04	Telephone conference with Steve McGrath pertaining to assignment of EIEDC judgment; telephone conference with Tom Gold and Richard Gold; prepare for oral argument on motion to compel	2.10	CAH * 1.0
	Work on discovery matters. Review Robinson pleadings. Contact court regarding hearing and telephonic capabilities for tomorrow hearing. Telephone conference with Robinson's office. Research for hearing on Ceuppens matter.	2.40	RMF
Apr-13-04	Appear at court hearing on Motion for Sanctions; intra-office conference pertaining to preparation of Order on Motion for Sanctions; telephone conference with Tom Gold and Richard Gold pertaining to hearing on Motion to Compel	1.80	CAH

Apr-30-04	Review file to prepare for hearings on motion to compel; telephone conference with Brent Robinson	0.40	CAH
May-01-04	Complete review of file and compile documentation and prepare arguments on motion to compel and motion for sanctions	2.80	CAH
May-03-04	Continued preparation for argument; appear before court and present oral argument on motion for sanctions and motion to compel	1.90	CAH
	Work on orders.	0.30	RMF
	Locate lien information on Bank of Idaho lien for EIEDC collection effort.	0.20	RMF *
May-04-04	Telephone conference with Tom Gold and Richard Gold to discuss results on hearing on Motion to Compel	0.30	CAH
	Telephone conference with Tom regarding status of orders from judge Shindurling, Robinson's consent, and EIEDC assignment.	0.40	RMF * .2
May-05-04	Intra-office conference to review revisions to consent and release executed by Lockwood entities	0.20	CAH
	Work on consent and release. Modify necessary signatures. Email Tom and Ditvoorst. Contact court regarding signed order.	1.50	RMF
	Email communications with Tom regarding EIEDC matter and verification of documents executed by EIEDC and release and dismissal of Massachusetts action. Fax EIEDC Assignment and payment to Tom. Work on consent and release.	0.90	RMF *
	Continue work on consent and correspondence with Robinson. Email from Golds.	1.30	RMF
May-06-04	Review and revise consent agreement to be executed by Vreeken; revise correspondence to Brent Robinson	0.30	CAH
	Continue work on consent and release.	0.80	RMF *



	Draft letter to Robinson. Email to Golds for review.		
May-12-04	Review amended Order setting pretrial conference	0.20	CAH
	Receipt and review Order for Ceuppens' testimony; Dictate letter for Robinson and Rippel; Scan Order to send to Golds. Work on Moore affidavit.	1.10	RMF
	Email order to Tom.	0.10	RMF
May-13-04	Review and revise email from Ditvoorst. Work on affidavit and pleadings.	0.60	RMF
May-19-04	Telephone conferences with Richard Gold	0.40	CAH
	Telephone conference with Richard Gold. Review and discuss options regarding levy and action on EIEDC assignment.	0.60	RMF *
May-20-04	Telephone conferences with Tom Gold and Richard Gold; transmit copies of EIEDC Judgment and assignment documents to Tom Gold and Richard Gold	0.90	CAH *
May-21-04	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Brent Robinson; compile all discovery documentation to provide to Golds; review pre-trial order and schedule dates	3.10	CAH
May-25-04	Telephone conferences with Tom Gold and Richard Gold; telephone conference to Mr. Ditvoorst pertaining to Ceupens matter	0.40	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

July 23, 2004

File #: 10199-000  
Inv #: 32995

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
May-28-04	Receipt and review of email from Ditvoorst firm regarding Dutch enforcement of judgment.	0.30	RMF
May-31-04	Work on lien information and Morse communications.	0.50	RMF
Jun-14-04	Work on setting up depositions for Christianne Vreeken	0.30	CAH
Jun-15-04	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Jun-16-04	Telephone conferences with Tom Gold and Richard Gold	0.40	CAH
Jun-30-04	Correspondence to Mr. Ditvoorst; compile all discovery documentation and transmit discovery documentation to client; review correspondence and miscellaneous documentation on depositions; work on preparing for deposition of Christianne Vreeken	3.30	CAH
Jul-01-04	Telephone conferences with Paul Rippel; telephone conferences with Tom Gold	0.50	CAH
Jul-02-04	Telephone conferences with Richard Gold; telephone conferences with Paul Rippel pertaining to scheduling of Christianne Vreeken's deposition	0.70	CAH
Jul-06-04	Review correspondence from Brent Robinson pertaining to discovery; telephone call to Brent Robinson	0.40	CAH
Jul-21-04	Review and revise notice of deposition for Christianne Vreeken	0.10	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

September 13, 2004

File #: 10199-000  
Inv #: 60178

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Jul-19-04	Prepare amended notice of deposition. Prepare modifications to exhibit for deposition. Prepare transmittal. Contact and confirm court reporters for dates of scheduled depositions. Prepare letter to Robinson regarding Christianne.	3.20	RMF
Jul-21-04	Review discovery inquiries and responses. Prepare and Fax document request to Robinson.	2.40	RMF
Jul-26-04	Correspondence to Tom Gold and Richard Gold pertaining to time for deposition of Christianne Vreeken	0.30	CAH
	Robinson letter regarding Christianne materials.	0.10	RMF
Jul-28-04	Review Robinson letter issues.	0.20	RMF
Jul-29-04	Telephone conference with Paul Rippel	0.30	CAH
Jul-30-04	Review file and pleadings relative to Christianne.	0.30	RMF
Aug-03-04	Telephone conferences with Tom Gold and Richard Gold pertaining to scheduling of deposition of Christianne Vreeken and other matters	0.40	CAH
Aug-11-04	Telephone conference with Paul Rippel	0.10	CAH
Aug-23-04	Telephone conference with Tom Gold and Richard Gold; telephone call to Paul Rippel	0.70	CAH
Aug-26-04	Telephone conferences with Paul Rippel and Richard Gold to establish time for deposition of Christianne Vreeken	0.60	CAH

	Telephone conference with rescheduling deposition for Christianne and others. Contact court reporters.	0.20	RMF
Aug-27-04	Prepare third amended notice of deposition.	0.30	RMF
Sep-01-04	Telephone conference with Tom Gold and Richard Gold pertaining to discovery requirements on deposition of Christianne Vreeken	0.70	CAH
Sep-08-04	Telephone conferences with attorney Brent Robinson	0.20	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

November 10, 2004

File #: 10199-000  
Inv #: 60859

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Sep-13-04	Telephone call to Paul Rippel	0.10	CAH
	Work on discovery issues.	0.60	RMF
Sep-14-04	Telephone conference with Paul Rippel pertaining to deposition matters; telephone call to Brent Robinson pertaining to discovery matters	0.50	CAH
	Work on motion to compel and issues prior to depositions.	1.60	RMF
Sep-15-04	Telephone conference with Brent Robinson; telephone conference with Paul Rippel pertaining to Christianne Vreeken deposition; telephone conference with Richard Gold and Tom Gold; intra-office conference pertaining to filing motion to dismiss on Christianne Vreeken claim	2.10	CAH
	Review discovery file and issues regarding deposition for Christianne. Prepare motion to compel; affidavit to compel discovery. Schedule motion. Contact opposing counsel.	5.80	RMF
Sep-16-04	Telephone conferences with Tom Gold and Richard Gold pertaining to motion to dismiss claim of Christianne Vreeken	0.60	CAH
	Work on motions to compel personal appearance for deposition by Christianne. Work on affidavit in support of motions and research.	6.30	RMF
Sep-17-04	Telephone conference with Tom Gold	0.20	CAH
	Continue draft of motion and affidavit in support of motion to compel appearance	3.20	RMF

	of Christianne and brief in support of motion.		
Sep-20-04	Work on motions to compel.	2.10	RMF
Sep-21-04	Work on brief and research.	2.60	RMF
Sep-23-04	Research motion to compel Christianne.	1.60	RMF
Sep-24-04	Research. Work on notice of hearing, motion, affidavit and brief in support of motion for sanctions against Christianne.	8.00	RMF
Sep-26-04	Research and draft brief in support of motion for sanctions against Christianne.	2.50	RMF
Sep-27-04	Telephone conferences with Tom Gold and Richard Gold; review and revise motion, affidavit and briefs on motion to dismiss Christianne Vreeken claim for failure to appear at deposition	0.80	CAH
	Prepare email to Golds sending affidavit and motion for sanctions against Christianne. Telephone conference with Tom regarding motion and hearing. Compile all exhibits for affidavit in support of sanctions against Christianne. Complete draft of Brief in support of motion for sanctions. Email notice of hearing and brief to Golds for review.	7.90	RMF
Sep-28-04	Telephone conference with Tom Gold pertaining to motion for sanctions against Christianne Vreeken	0.30	CAH
	Continue work on discovery motion and brief. Contact court for available hearing dates.	3.10	RMF
Sep-30-04	Research on motion.	1.20	RMF
Oct-01-04	Research for modified draft of brief regarding Christianne and motion to compel.	2.30	RMF
Oct-04-04	Review correspondence from Tom Gold; telephone conference with Tom Gold pertaining to Motion for Sanctions against Christianne Vreeken	0.50	CAH
	Work on brief. Telephone conference with Tom and Richard regarding	3.40	RMF

	comments to brief and current issues and status.		
Oct-05-04	Work on discovery issues.	0.60	RMF
	Continue work on research on issues for motion to compel Christianne.	1.10	RMF
Oct-06-04	Research issues relating to Christianne motion.	3.40	RMF
Oct-07-04	Review discovery responses received from Brent Robinson	0.30	CAH
	Research brief in support of motion for sanctions against Christianne. Review prior pleadings of court for brief. Review prior responses to discovery.	3.60	RMF
Oct-08-04	Telephone conference with Tom Gold; intra-office conference pertaining to preparing motion for sanctions and additional discovery pleadings	0.60	CAH
	Telephone conference with Tom regarding discovery issues. Work on discovery for Lockwood regarding early accounts. Research and work on Christianne brief.	3.20	RMF
Oct-11-04	Work on LPC discovery issues.	1.00	RMF
Oct-12-04	Research and work on draft of brief in support of motion for sanctions against Christianne Vreeken for failure to appear at deposition. Work on draft discovery for LPC.	5.70	RMF
Oct-13-04	Review and revise brief on motion for sanctions against Christianne Vreeken	0.90	CAH
	Work on draft of brief in support of motion for sanctions against Christianne Vreeken, motion for sanctions, affidavit in support of motion for sanctions. Work on fifth request for production to LPC. Prepare email correspondence to Tom and Richard attaching drafts of brief and fifth request for production.	2.50	RMF
	Continue work on discovery matters.	0.50	RMF
Oct-14-04	Telephone conference with Tom Gold and	0.80	CAH

	Richard Gold; review and revise motion to compel; review discovery requests for production of documents	0.50	RMF
	Continue work on brief and affidavit for motion for sanctions against Christianne. Review depositions of Jan Vreeken and Melanie Harris and Deposition exhibits for inclusion in Affidavit. Modify Affidavit, Motion and Notice of Hearing. Prepare for scanning documents.	5.20	RMF
	Prepare documents to be served tomorrow; copies; correspondence; scan into pdf file. Email copy of Christianne Motion for Sanctions to Tom and Richard.	2.30	RMF
Oct-15-04	Finalize and file/serve/email motion against Christianne. Receipt and review of proposed modifications to fifth requests for production against LPC. Prepare and serve Fifth Requests for Production of LPC.	3.80	RMF
Oct-18-04	Review discovery pleadings	0.10	CAH
	Work on discovery issues.	0.60	RMF
Oct-19-04	Work on discovery issues. Review prior responses.	1.30	RMF
Oct-27-04	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Paul Rippel	1.40	CAH
Oct-28-04	Several telephone conferences with Tom Gold and Richard Gold and Paul Rippel pertaining to negotiations on Christianne Vreeken matter; work on preparing settlement agreement on possible settlement with Christianne Vreeken	2.40	CAH
Oct-29-04	Several telephone conferences with Tom Gold and Richard Gold on negotiations with Christianne Vreeken; telephone conferences with Paul Rippely; emails to Tom Gold and Richard Gold	3.00	CAH
Nov-01-04	Review file and prepare for oral argument on motion for sanctions against	5.80	CAH



Christianne Vreeken; appear at hearing  
and present oral argument; telephone  
conferences with Tom Gold and Richard  
Gold

Nov-02-04	Telephone conference with Richard Gold	0.20	CAH
Nov-03-04	Telephone conferences with Tom Gold and Richard Gold; intra-office conference to discuss possible claim against Christianne Vreeken	1.60	CAH
Nov-04-04	Correspondence to Brent Robinson pertaining to objection filed by Lockwood on request for production of documents	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 24, 2005

File #: 10199-000  
Inv #: 62027

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Oct-28-04	Telephone conference with Shindurling clerk regarding rescheduling hearing. Work issues. Research and draft Motion and memo to strike Affidavit of Jan Vreeken. Draft proposed settlement between Christianne and Golds.	8.30	RMF
Oct-29-04	Continue work on motion to strike and agreement.	1.30	RMF
Nov-04-04	Work on discovery issues and documents regarding Jan Vreeken.	3.10	RMF
Nov-05-04	Research regarding Christianne.	1.60	RMF
Nov-09-04	Correspondence to Paul Rippel on Lockwood's request for production of Bank of Idaho documents	0.20	CAH
Nov-13-04	Prepare Memorandum of Costs and Affidavit for costs and fees and motion to costs to be awarded against Christianne Vreeken. Review billings.	7.20	RMF
Nov-18-04	Work on file and discovery issues outstanding.	2.40	RMF
Nov-19-04	Work on files and motions issues.	2.20	RMF
Nov-22-04	Receipt and review emails and documents related to request for letters rogatory from local court to be used in the Netherlands.	2.60	RMF
	Instructions to pursue preparation of letters rogatory. Emails from Golds and from Netherlands' attorney regarding letters rogatory. Research form and format of letters rogatory.	5.80	RMF
Nov-23-04	Work on letters rogatory.	4.90	RMF

Nov-24-04	Research and work on letters rogatory and other matters.	4.40	RMF
Nov-29-04	Work on draft of letters rogatory. Research.	4.50	RMF
Nov-30-04	Research letters rogatory and continue draft.	2.10	RMF
Dec-02-04	Computer research letters.	4.50	RMF
Dec-03-04	Work on discovery issues and research letters.	4.30	RMF
Dec-06-04	Work on letters rogatory; research; review file regarding court opinion.	4.60	RMF
Dec-07-04	Review memorandum decision issued by Judge Shindurling on motion for sanctions against Christianne Vreeken.	0.30	CAH
	Research the Netherlands and letters.	2.10	RMF
Dec-08-04	Review memorandum decision issued by Judge Shindurling; email to Tom Gold and Richard Gold to transmit memorandum decision; work on compiling documentation to prepare memorandum of costs.	1.50	CAH
	Work on letters rogatory; memorandum of costs; research letters.	5.10	RMF
Dec-09-04	Review and revise memorandum of costs; telephone conference with Richard Gold; telephone conference with Tom Gold	1.20	CAH
Dec-10-04	Continued work on preparation of memorandum of costs on Christianna Vreeken claim.	0.40	CAH
Dec-13-04	Telephone conference with Richard Gold; review and revise memorandum of costs on Christianne Vreeken matter	0.60	CAH
	Work on motion for fees, preparation of affidavit and motion for fees, reports cross-checked against EIEDC matters.	4.50	RMF
Dec-14-04	Work on pleadings and discovery issues as well as research letters rogatory.	8.20	RMF
Dec-17-04	Telephone conferences with Tom Gold and Richard Gold	0.30	CAH

Dec-27-04	Review objection to fees filed by Paul Rippel and transmit objection to Tom Gold and Richard Gold for review	0.30	CAH
Dec-30-04	Telephone conferences with Tom Gold and Richard Gold; telephone conferences with Brent Robinson	1.40	CAH
Jan-03-05	Intra-office conference pertaining to discovery matters	0.20	CAH
	Work on and research issues relating to discovery, timing of appeal, letters rogatory.	4.20	RMF
Jan-06-05	Work on discovery issues. Continue work on research letters and procedure and timing.	6.80	RMF
Jan-07-05	Continue work and research of letters rogatory. Continue work and review on discovery issues and failings of other parties. Research.	6.50	RMF
Jan-08-05	Continue research. Review discovery issues. Continue research regarding letters rogatory.	7.60	RMF
Jan-12-05	Review correspondence on scheduling depositions	0.10	CAH
Jan-14-05	Telephone conference with Tom Gold and Richard Gold; work on preparing supplemental discovery and notice to schedule deposition	1.00	CAH
	Work on research letters rogatory and updating discovery issues.	6.80	RMF
Jan-17-05	Work on discovery. Review file folders for information.	5.20	RMF
Jan-18-05	Work on discovery and research issues.	3.60	RMF
	Work on amendment to pleadings.	1.10	RMF
Jan-19-05	Continue work on pleadings and discovery issues.	4.30	RMF
Jan-20-05	Work on supplemental discovery issues.	1.60	RMF
	Research issues relating to time for filing appeal and final orders.	3.10	RMF

Jan-21-05	Research issues regarding timing for appeal; work on amended; review files for issues regarding Phil Morse.	3.90	RMF
Jan-24-05	Review all discovery to and from parties and work on supplemental responses and responses lacking from opposing parties.	4.20	RMF
Jan-25-05	Work on discovery and review of discovery files and documents.	5.30	RMF
Jan-26-05	Telephone conference with Richard Gold	0.30	CAH
	Work on discovery responses and file issues. Receipt and review proposed letters rogatory and email.	5.60	RMF
Jan-27-05	Receive email from Tom regarding letters rogatory. Research trial issues regarding timing for appeal and other issues.	1.60	RMF
Jan-29-05	Review file and prepare for depositions of John Teti and Phillip Morris	2.80	CAH
Jan-30-05	Travel from Idaho Falls to Boston to meet with Golds and take depositions of John Teti and Phillip Morris	4.00	CAH
Jan-31-05	Intraoffice conference regarding final appealable order	0.20	CAH
	Office conference with Sue Johnson; conferences with Tom Gold and Richard Gold; participate in taking deposition of John Teti	6.80	CAH
	Research issues relating to finality of judgment and order of dismissal. Telephone conference with Chuck.	5.20	RMF
Feb-01-05	Conferences with Tom Gold and Richard Gold to prepare for Phillip Morris deposition; travel to New Hampshire for Phillip Morris deposition; participate in Phillip Morris deposition	8.50	CAH
	Work on amendment to pleadings.	1.60	RMF
Feb-02-05	Conferences with Tom Gold and Richard Gold; travel from Boston to Idaho Falls	8.00	CAH
Feb-03-05	Telephone conference with Tom Gold and Richard Gold pertaining to filing of motion for summary judgment; telephone	2.90	CAH

conference with Nelson Louins; work on drafting, review and revision of motion for extension of time to file motion for summary judgment and prepare notice of hearing on motion; review documentation on letters rogatory

Feb-04-05	Telephone conference with Brent Robinson to schedule hearing on motion to extend time to file motion for summary judgment; telephone conference with Tom Gold and Richard Gold; participate in telephone conference hearing with Judge Shindurling to obtain extension of time to file motion for summary judgment	1.70	CAH
Feb-07-05	Telephone conferences with Tom Gold and Richard Gold; telephone conference with Paul Resendez pertaining to research on Mass. law; review depositions to compile testimony to be used on motion for summary judgment	4.60	CAH
Feb-08-05	Telephone conference with Tom Gold; continued work on drafting, review and revision of brief in support of motion for summary judgment, affidavit of Tom Gold and affidavit of Richard Gold; review of depositions	9.10	CAH
Feb-09-05	Continued work on preparing pleadings on motion for summary judgment; telephone conferences with Tom Gold and Richard Gold	2.60	CAH
Feb-10-05	Telephone conferences with Tom Gold and Richard Gold; continued work on drafting, review and revision of all pleadings on motion for summary judgment	5.10	CAH
Feb-11-05	Continued work on drafting, review and revision of pleadings on motion for summary judgment; several telephone conferences with Tom Gold and Richard Gold	4.50	CAH
Feb-13-05	Continued work on preparing summary judgment pleading	1.30	CAH
Feb-14-05	Continued work in preparing in final form pleadings on motion for summary	1.10	CAH

judgment; telephone conferences with  
Tom Gold and Richard Gold

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

April 6, 2005

File #: 10199-000  
Inv #: 62475

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Feb-01-05	Review all discovery regarding issues to be updated in supplemental or amended response. Prepare discovery update and notice of hearing.	5.50	RMF
Feb-02-05	Work on amended pleading involving Telford and supplemental update to discovery. Work on motion to extend time. Contact Robinson's office.	6.20	RMF
Feb-03-05	Prepare and work on Motion to extend time for hearing; motion to shorten time for summary judgment; motion regarding summary judgment; contact Robinson and write Robinson regarding stipulation to motion to shorten time for hearing and regarding summary judgment.	6.00	RMF
Feb-04-05	Work on motion regarding extension and shortening of time for motion for summary judgment.	3.80	RMF
Feb-07-05	Intraoffice conference regarding status of litigation; preparation of motion for summary judgment; receipt and review of memorandum from Paul Rezendez regarding research of Mass law; Telephone conferences with Golds and Rezendez office; research motion and issues;	6.60	RMF
Feb-08-05	Research Rezendez memo and Mass cases. Receipt and review of Rezendez amendment to Memorandum regarding Mass law. Telephone conference with Paul regarding memorandum. Research. Review motion and facts; Prepare and work on motion for summary judgment; drafts.	7.40	RMF



Feb-09-05	Work on motion for summary judgment; Research; work on draft. Review Memo in support of summary judgment and factual statement and exhibits.	7.80	RMF
Feb-10-05	Research and draft motion for summary judgment.	8.10	RMF
Feb-11-05	Research and draft motion for summary judgment.	7.90	RMF
Feb-12-05	Work on motion for summary judgment. Research. Draft.	10.40	RMF
Feb-13-05	Work on memorandum in support of motion for summary judgment. Research.	14.30	RMF
Feb-14-05	Prepare and file memorandum in support of motion for summary judgment. Research. Telephone conferences with Golds. Email correspondence.	7.60	RMF
Feb-15-05	Work on matters involving research and filing and discovery.	2.60	RMF
Feb-21-05	Telephone conference with Richard Gold	0.20	CAH
Feb-22-05	Review discovery pleadings filed by Brent Robinson; telephone conference with attorney Mark Miller; correspondence to Tom Gold and Richard Gold	1.00	CAH
	Work on discovery regarding Robinson.	1.60	RMF
Feb-23-05	Telephone conference with Richard Gold; work on preparing pleadings on objection to discovery filed by Vreeken	0.40	CAH
	Work on motions and research regarding late discovery and issues raised. Telephone conference with Mark Miller regarding Bank of Idaho counterclaim; Receipt and review of pleading by Bank of Idaho in response to Vreeken action.	4.20	RMF
Feb-24-05	Work on Robinson discovery matters;	3.80	RMF
Feb-28-05	Telephone conference with Richard Gold and Tom Gold	0.40	CAH
	Research. Telephone conference with Robinson's office regarding brief. Prepare	5.30	RMF

	and send copies of documents to Golds. Read and begin research on reply brief.		
Mar-01-05	Review pleadings filed by Robinson on motion for summary judgment; review depositions to prepare testimony in opposition to response to motion for summary judgment; telephone conferences with Tom Gold and Richard Gold	3.70	CAH
	Review pleadings and affidavits. Review cited depositions of parties. Work on reply brief. Telephone conference with Shindurling's clerk Rhonda.	7.40	RMF
Mar-03-05	Telephone conference with Tom Gold and Richard Gold; review response brief filed on motion for summary judgment by Brent Robinson; continued work on review and revision of reply brief in support of motion for summary judgment	1.70	CAH
Mar-04-05	Telephone conference with Richard Gold; review and revise reply brief	1.80	CAH
Mar-07-05	Prepare for hearing on motion to exclude witnesses; appear at court hearing on motion to exclude witnesses; telephone conferences with Tom Gold and Richard Gold; prepare reply brief in final form for filing with court; prepare order on exclusion of witnesses; correspondence to court to submit order on exclusion of witnesses	5.60	CAH
Mar-11-05	Work on preparing for hearing on motion for summary judgment	0.30	CAH
Mar-12-05	Work on preparing argument for motion for summary judgment	2.00	CAH
Mar-14-05	Prepare for hearing on motion for summary judgment and appear at court hearing to present argument in support of motion for summary judgment; telephone conference with Steve Snow; telephone conferences with Tom Gold and Richard Gold	4.50	CAH
Mar-15-05	Correspondence to Brent Robinson; telephone conferences with Tom Gold and	2.00	CAH

	Richard Gold; office conference with Steve Snow		
Mar-16-05	Telephone conferences with Tom Gold and Richard Gold; work on preparing exhibits and documentation for trial	1.30	CAH
Mar-17-05	Complete review of all documentation to compile exhibits for trial and review of deposition transcripts to prepare testimony for trial; telephone conferences with Tom Gold and Richard Gold	5.00	CAH
Mar-18-05	Continued review of transcripts of depositions to prepare testimony for trial; telephone conference with Judge Shindurling pertaining to postponement of trial date; telephone conference with Tom Gold and Richard Gold	4.90	CAH
Mar-21-05	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Mar-28-05	Review affidavits filed by Brent Robinson and opposition to motion for summary judgment; telephone conferences with Tom Gold and Richard Gold	0.70	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

May 11, 2005

File #: 10199-000  
Inv #: 62837

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-02-05	Research and draft reply brief and affidavits.	3.30	RMF
Mar-03-05	Research and draft reply memo and accompanying affidavits. Prepare and email Tom second affidavit in support of reply memo. Scan and send copies of Robinson pleadings and affidavits.	8.80	RMF
Mar-04-05	Continue draft and preparation of affidavits and memorandum. Email drafts to Gold for review.	8.60	RMF
Mar-06-05	Receipt and review emails from Tom. Continue work on reply memo and affidavits.	7.40	RMF
Mar-07-05	Work on finalization of brief.	3.60	RMF
Mar-10-05	Telephone conferences with Lockwood regarding setting time for document review, Bill Windels and Jennifer Gustavison.	1.20	RMF
Mar-11-05	Telephone conferences regarding Lockwood records.	0.30	RMF
Mar-14-05	Intraoffice conference regarding result of hearing; discuss potential witness Elsha; issue to research for trial regarding law on proof for claim for 93A and good faith and fair dealing issues. Research.	2.80	RMF
Mar-16-05	Continue to research issues in anticipation of trial.	2.60	RMF
Mar-30-05	Receipt and review of email and document.	0.20	RMF
Apr-05-05	Telephone conference with Tom Gold and	0.30	CAH

	Richard Gold; telephone conference with law clerk for Judge Shindurling		
Apr-27-05	Telephone conference with Tom Gold and Richard Gold; telephone call to Judge Shindurling's office	0.20	CAH
Apr-28-05	Telephone conference with Judge Shindurling's office; email to client	0.30	CAH
May-03-05	Review court opinion on motion for summary judgment; telephone conference with Tom Gold and Richard Gold	0.50	CAH
May-04-05	Review memorandum decision; telephone conference with Tom Gold and Richard Gold	1.30	CAH
May-06-05	Telephone conferences with Tom Gold and Richard Gold	1.00	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBBURN, MA 01801-2004

August 10, 2005

File #: 10199-000  
Inv #: 63769

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Apr-26-05	Work on files.	1.40	RMF
May-03-05	Receipt and review decision of court. Plan motion for reconsideration of unresolved issues.	2.20	RMF
May-04-05	Prepare files.	0.80	RMF
May-06-05	Telephone conference with parties regarding motion for reconsideration. Pull relevant portions of file. Research. Review prior pleadings and judgment in preparation of motion for reconsideration.	4.40	RMF
May-09-05	Review prior pleadings and documents for motion for reconsideration.	1.40	RMF
May-10-05	Work on file issues relative to motion for reconsideration and pleadings.	1.20	RMF
May-11-05	Research.	1.60	RMF
May-12-05	Review pleadings on motion for reconsideration	0.30	CAH
	Review case files for motion for reconsideration.	2.20	RMF
May-13-05	Review and revise brief in support of motion for reconsideration; telephone conference with Tom Gold and Richard Gold	0.70	CAH
	Communications with parties. Prepare Drafts, Scan and Email motion and pleadings for reconsideration. Research Mass. law and security interest issues.	3.90	RMF
May-14-05	Research motions for reconsideration.	2.30	RMF

May-16-05	Review and revise brief in support of motion for reconsideration; telephone conferences with Tom Gold and Richard Gold	1.30	CAH
	Work and research draft motion for reconsideration. Correspondence with parties.	7.20	RMF
May-17-05	Review brief in support of motion for reconsideration; review pleadings filed by Brent Robinson on motion for reconsideration; telephone conference with Tom Gold and Richard Gold	1.10	CAH
	Complete and file motion for reconsideration. Receipt and review Robinson's motion for reconsideration.	7.20	RMF
May-18-05	Review pleadings on motions for reconsideration. Research issues and arguments.	0.70	RMF
May-25-05	Work on documents and files pertaining to motion for reconsideration.	1.40	RMF
May-26-05	Telephone conference with Richard Gold	0.20	CAH
	Work on contacting court for timing for hearing and read and review for reply to Robinson.	0.40	RMF
May-27-05	Contact court regarding status conference. Work on Robinson reply.	0.60	RMF
May-30-05	Work on reply brief to Robinson matters.	0.80	RMF
Jun-10-05	Review pleadings filed by Brent Robinson; intra-office conference	0.30	CAH
Jun-14-05	Appear at status conference; telephone conference with Tom Gold and Richard Gold	1.10	CAH
Jun-15-05	Intra-office conference pertaining to research on bad faith issues and preparing motion for summary judgment on bad faith issues	0.50	CAH
	Intraoffice conference ; review issues relating to Chap 93A and status. Receipt and review copies of Vreeken and Lockwood Defendants Motion for Reconsideration, Affidavit of Robinson in	3.20	RMF

	Support, and their Brief in Support thereof. Prepare initial outline and redline of notes and arguments, of law to research, and possible issues to further research.		
	Intraoffice conference regarding circumstances and research issues in case	0.30	DSO
Jun-16-05	Research based on Robinson's motion.	2.20	RMF
Jun-17-05	Locate files and folders necessary for preparation of reply to motion for reconsideration.	2.20	RMF
Jun-20-05	Prepare outline of arguments for reply.	3.80	RMF
	Review court documents relevant to litigation in regards to legal research on Mass. law.	1.60	DSO
	Intraoffice conference regarding merits and issues of case	1.20	DSO
Jun-21-05	Intraoffice conference regarding Chap 93A and history of case.	1.50	RMF
	Review pleadings in motions for reconsideration. Prepare notes and draft outline of arguments and counterarguments.	3.20	RMF
	Review documents; intraoffice conference regarding litigation and issues; research Idaho UCC filings and Mass. Gen. Law sec. 93	2.20	DSO
Jun-22-05	Intra-office conference to review research on Massachusetts statutes	0.50	CAH
	Review applicable court documents relevant to case; conduct research into Mass. Gen. Law Ch. 93, 93A.	2.30	DSO
	Intraoffice conference regarding merits and specifics of case	0.30	DSO
Jun-23-05	Research caselaw relating to motions for reconsideration.	6.20	RMF
	Read court documents and complaint; review ch. Mass. law on implied good faith/fair dealing	2.30	DSO



Jun-24-05	Work on pleadings and response to Vreeken's motion for reconsideration and their response to Gold's motion for reconsideration. Research. Review Robinson's previous affidavits.	7.70	RMF
	Research into Massachusetts case law under Ch. 93A; research implied good faith and fair dealing	3.20	DSO
Jun-25-05	Continue research and draft of reply memorandum in response to Vreeken and Lockwood Defendants motion for reconsideration. Prepare draft for emailing to Golds.	8.40	RMF
Jun-26-05	Work on reply memorandum. Research Robinson's Motion for Reconsideration and his reply to Golds. Review Motion for Summary Judgment and related pleadings.	6.60	RMF
Jun-27-05	Work on reply brief and memorandum to Robinson's Motion for Reconsideration and prepare response to Vreeken's reply to Gold's Motion for Reconsideration. Review and research affidavits, previous memorandum, caselaw.	8.60	RMF
	Research, case review of Mass. Gen. Law provision 93A, particularly sec. 11.; research cases defining implied warranty of good faith and fair dealing	2.00	DSO
Jun-28-05	Telephone conference with Tom Gold and Richard Gold; transmit reply brief to Tom Gold and Richard Gold for review	0.20	CAH
	Continue research and draft of reply memorandum in response to Vreeken and Lockwood Defendants motion for reconsideration. Prepare draft for emailing to Golds.	5.40	RMF
	Research, memo composition regarding ch. 93A	2.40	DSO
Jun-29-05	Review all pleadings in connection with motion for reconsideration; prepare argument for hearing on motion for reconsideration; review and revise reply brief on motion for reconsideration	2.00	CAH
	Work on research on issue Robinson	6.40	RMF

	raised in his reply to Gold's Motion for Reconsideration. Review affidavits and prior pleadings relating to motion for summary judgment.		
	Read cases relevant to Mass. Gen. L. 93A; spoke with Bob Follet regarding findings & merits of case.	2.10	DSO
Jun-30-05	Review and revise reply briefs; telephone conferences with Tom Gold pertaining to revisions to reply brief	1.60	CAH
	Work on preparation of reply memorandum in response to Vreeken and Lockwood Defendants Motion for Reconsideration and response to Robinson's reply to Gold's motion for Reconsideration.	8.40	RMF
	Westlaw research into cases relevant to ch. 93A - partnership; Intraoffice conference regarding merits of case.	1.60	DSO
Jul-01-05	Telephone conference with Tom Gold and Richard Gold; review and revise reply brief and transmit reply brief for filing with court	1.00	CAH
	Complete reply memorandum in response to Vreeken and Lockwood Defendants Motion to Reconsider. Prepare motion for hearing. Contact court. Email and make last modifications. File and serve copies and prepare pdf copies for clients.	8.20	RMF
	Research on Mass Gen. L. 93A, memo composition relative to statute	2.10	DSO
Jul-05-05	Research on Mass. Gen. L. 93A, memo composition.	3.10	DSO
Jul-06-05	Memo composition regarding Mass. Gen. L ch. 93A.	2.40	DSO
Jul-07-05	Research and review cases on Mass. Gen. L 93A, memo composition	2.70	DSO
Jul-08-05	Research, memo composition on M.G.L.A. 93A; discussion with Chuck about merits of case.	3.90	DSO
Jul-09-05	Review all pleadings on motion for summary judgment and motion for	2.90	CAH

	reconsideration and prepare for oral argument on motion for reconsideration		
Jul-11-05	Prepare for oral argument on motion for consideration; attend court hearing; prepare oral argument on motion for reconsideration	2.50	CAH
	Review Deborah memornadum regarding Chap 93A. Work on miscellaneous filing from preparation of motions for reconsideration.	1.80	RMF
Jul-22-05	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Aug-01-05	Compile documents on assignment of EIEDC judgment; transmit documents to client	1.50	CAH
Aug-08-05	Review correspondence and intra-office conference pertaining to computation of interest accrued on the EIEDC judgment	0.20	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

September 12, 2005

File #: 10199-000  
Inv #: 64174

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Aug-08-05	Receipt and review email correspondence from Tom. Intraoffice conference. Review file. Review judgment and calculate interest rates applicable to EIEDC judgment for collection purposes.	1.50	RMF*, 5
Aug-12-05	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Aug-30-05	Telephone conference with Richard Gold	0.20	CAH
Sep-06-05	Telephone conference with Thomas Gold and Richard Gold to review decision on motion for reconsideration	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

October 10, 2005

File #: 10199-000  
Inv #: 64534

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Aug-31-05	Receipt and review email from Holland counsel.	0.20	RMF
Sep-06-05	Email receipt and review judges opinion, decision and order on joint motions for reconsideration.	0.80	RMF
Sep-08-05	Intra-office conference to review memorandum decision	0.30	CAH
Sep-09-05	Telephone conference with Tom Gold and Richard Gold to review memorandum decision issued by Judge Shindurling on motion for reconsideration	0.90	CAH
Sep-15-05	Telephone conference with Tom Gold and Richard Gold; telephone conference with Brent Robinson	1.00	CAH
Sep-20-05	Telephone conference with Richard Gold and Tom Gold	0.20	CAH
Sep-23-05	Correspondence to Brent Robinson	0.20	CAH
Oct-04-05	Telephone call to Tom Gold and Richard Gold	0.20	CAH
Oct-05-05	Review court schedule and order; telephone conference with Tom Gold and Richard Gold	0.50	CAH
	Discuss research assignment on implied good faith/fair dealing with CAH.	0.20	DSO

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

November 9, 2005

File #: 10199-000  
Inv #: 64895

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Oct-06-05	Research implied covenant of good faith and fair dealing in Idaho, Massachusetts.	5.60	DSO
Oct-07-05	Telephone conference with Tom Gold and Richard Gold; telephone call to Brent Robinson	0.30	CAH
	Research Idaho - Mass law on good faith/fair dealing.	5.80	DSO
Oct-12-05	Review cases relevant to Massachusetts implied covenant of good faith/fair dealing.	2.30	DSO
Oct-13-05	Research on 9th circuit law regarding good faith/fair dealing.	3.30	DSO
Oct-14-05	Compile Mass. law for implied covenant of good faith/fair dealing, dictate portion of Mass. law memo.	1.70	DSO
Oct-17-05	Dictate memo on Massachusetts law on covenant of good faith/fair dealing; compare Idaho law with that of Washington/Colorado in regards to good faith/fair dealing.	2.30	DSO
Oct-18-05	Review Idaho/9th circuit cases on implied good faith/fair dealing; dictate memo on Idaho law.	3.60	DSO
Oct-19-05	Finish composition/revisions of law summary on implied covenant of good faith/fair dealing.	7.20	DSO
Oct-20-05	Telephone call to Brent Robinson	0.10	CAH
	Review memo on good faith/fair dealing, intraoffice conference to discuss memo	0.60	DSO
Oct-25-05	Prepare for hearing on motion to	1.70	CAH

withdraw filed by Brent Robinson; appear  
at court hearing; telephone conference  
with Tom Gold and Richard Gold; email  
to Brent Robinson

Oct-31-05	Correspondence to Brent Robinson; telephone conference with Richard Gold and Tom Gold	0.30	CAH
Nov-07-05	Telephone call to Brent Robinson	0.10	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 7, 2006

File #: 10199-000  
Inv #: 65867

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>LAWYER</b>
Nov-09-05	Correspondence to Richard Gold and Tom Gold; correspondence to Brent Robinson	0.30	CAH
Nov-21-05	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
Nov-22-05	Correspondence to Tom Gold and Richard Gold to transmit Brent Robinson service of process on order of withdrawal	0.30	CAH
Nov-30-05	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
Dec-01-05	Telephone conference with Kipp Manwaring and email to Tom Gold and Richard Gold	0.20	CAH
Dec-15-05	Telephone conference with Tom Gold	0.20	CAH
Jan-09-06	Telephone conference with Tom Gold and Richard Gold	0.30	CAH
Jan-11-06	Telephone conferences with Kipp Manwaring; correspondence to Richard Gold and Tom Gold	0.30	CAH
Jan-18-06	Office conference with Kipp Manwaring	0.50	CAH
Feb-03-06	Review memo on Massachusetts bad faith law	0.20	CAH
Feb-06-06	Telephone conferences with Richard Gold and Tom Gold	0.50	CAH



THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

March 10, 2006

File #: 10199-000  
Inv #: 66257

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Feb-13-06	Telephone conference with Tom Gold and Richard Gold; compile files and documentation to begin research and preparation of additonal motion for summary judgment	1.10	CAH
Feb-14-06	Complete review of files and documents to compile documentation in support of new motion for summary judgment; draft and dictate summary judgment; draft and dictate motion for summary judgment and notice of hearing on motion for summary judgment; draft brief in support of motion for summary judgment	10.50	CAH
	Perform UCC search related to 4 liens in Idaho on Lockwood Propertys; Intraoffice conference; research into UCC default provisions for ID/MA.	0.30	DSO
Feb-15-06	Continued work on drafting motion for summary judgment, summary judgment, notice of hearing, and brief in support of motion for summary judgment	2.20	CAH
	Research UCC statutes in ID/MA for default judgment.	1.00	DSO
Feb-16-06	Continued review of pleadings on motion for summary judgment; prepare assignment of UCC financing statement on EIEDC claim	0.70	CAH
	Continued research	0.30	DSO
Feb-17-06	Prepare assignment of UCC financing statement from EIEDC to Richard Gold; review and revise pleadings on motion for	1.10	CAH * 1.5

	summary judgment; intra-office conference on research for brief		
	Review case files; perform research on good faith/fair dealing in MA/ID, as well as 93A.	3.00	DSO
Feb-18-06	Review cases relevant to motion for summary judgment; organize cites for memo.	4.70	DSO
Feb-21-06	Telephone conference with Richard Gold	0.20	CAH
	Review damages case law, begin review of draft memo.	1.80	DSO
Feb-22-06	Review case files, edit motion for summary judgment.	7.50	DSO
Feb-23-06	Edit summary judgment memo.	6.00	DSO
Feb-24-06	Intraoffice conference , review additional cases and submit draft SJ memo.	0.30	DSO
Feb-27-06	Attend pretrial conference to set trial dates and hearing date on motion for summary judgment	1.60	CAH
	Research requirement that acts must be performed "primarily and substantially" in MA in order to impose 93A liability, compose brief memo of relevant law.	1.50	DSO
Mar-03-06	Telephone conferences with Tom Gold and Richard Gold	0.40	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

September 11, 2006

File #: 10199-000  
Inv #: 68578

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-08-06	Discuss case, required UCC filings; research continuing filings in several states, file in Idaho, one in MA.	2.00	DSO
Mar-09-06	Call Massachusetts Secretary of State to inquire about UCC filing problems; call Woburn to inquire into City filing; submit MA filing; contact NH Secretary of State about filing; file with NH, DE; compose, edit letter to clients.	3.20	DSO
Mar-10-06	Memo on UCC filings.	0.10	DSO
Mar-20-06	Prepare letter, documents regarding UCC continuation for mailing to clients.	0.30	DSO
Mar-28-06	Telephone conference with Richard Gold and Tom Gold	0.20	CAH
Mar-30-06	Discuss UCC Search.	0.10	DSO
Apr-17-06	Telephone conference with Richard Gold	0.20	CAH
Apr-19-06	Review UCC documents on assignment of UCC held by EIEDC to Richard Gold	0.50	CAH
	Discuss UCCs; perform UCC search in Idaho into EIEDC UCC.	0.40	DSO
Apr-20-06	Interoffice conference regarding UCC filing, updates; research UCC filings against Lockwood entities in MA, NH, DE, ID; call Delaware UCC office.	1.50	DSO
May-02-06	Review file	0.10	CAH
May-03-06	Review file; compile documents to submit to Richard Gold	0.30	CAH

May-16-06	Telephone conference with Tom Gold and Richard Gold	0.20	CAH
May-17-06	Work on preparing correspondence to attorney Kipp Manwaring pertaining to removal of equipment from Acne Storage	0.30	CAH
May-18-06	Correspondence to Kipp Manwaring	0.20	CAH
May-22-06	Continued work on drafting, review and revision of motion for entry of summary judgment, motion for entry of new summary judgment; review and revise brief in support of motion for summary judgment; review research material; correspondence to Tom Gold and Richard Gold to transmit pleadings for review and comments	5.70	CAH
May-23-06	Continued review and revision of motions for summary judgment and brief in support of summary judgment; correspondence to Tom Gold and Richard Gold to transmit pleadings for review; telephone conference with Tom Gold	1.20	CAH
May-24-06	Computer Research regarding case law from Idaho and Massachusetts dealing with indemnification between guarantors that are jointly and severally liable.	2.40	BRW
May-25-06	Computer Research on Massachusetts and Idaho case law regarding indemnification against co-guarantors.	2.40	BRW
May-26-06	Computer Research	0.10	BRW
	Computer Research regarding the ability of co-guarantors to seek indemnification from one another.	2.00	BRW
May-30-06	Intra-office conference to discuss research on brief on pending motion for summary judgment	0.20	CAH
	Computer Research on indemnification and guarantees in Mass. case law used to write a memo of law to supplement additional arguments for brief. Also, discussed the case and received more documents to review and use to supplement my memo.	5.60	BRW

Jun-01-06	Telephone conference with Tom Gold and Richard Gold	0.50	CAH
Jun-19-06	Telephone conference with Richard Gold	0.30	CAH
Jul-31-06	Correspondence to Richard and Tom Gold	0.20	CAH
Aug-02-06	Schedule hearing date for summary judgment; Correspondence to Tom and Richard Gold pertaining to scheduling date for summary judgment hearing	0.30	CAH
Aug-09-06	Email to Tom Gold pertaining to preparation of summary judgment brief	0.10	CAH
Aug-12-06	Continued work on research, drafting, review and revision of pleadings on motion for summary judgment, including revisions to brief in support of motion for summary judgment	6.50	CAH
Aug-13-06	Continued work on review and revision of brief in support of motion for summary judgment	1.00	CAH
Aug-14-06	Continued work on brief in support of motion for summary judgment	0.30	CAH
Aug-15-06	Telephone conference with Tom and Richard Gold; Continued work on drafting, review and revision of brief in support of motion for summary judgment and other pleadings pertaining to motion for summary judgment	5.60	CAH
	Interoffice conference regarding research; discuss citation issue for electronic availability only; discuss indemnity research supplement.	0.40	DSO
Aug-16-06	Continued work on drafting, review and revision of motions for summary judgment, affidavit in support of motion for summary judgment and brief in support of motion for summary judgment; Telephone conferences with Tom and Richard Gold; Telephone conference with attorney Paul Rippel pertaining on scheduling of hearing on motion to withdraw filed by Paul Rippel	4.50	CAH
	Interoffice conference regarding research into indemnity section of brief;	4.10	DSO

Aug-17-06	Telephone conference with Tom Gold; Draft, review and revise affidavit and pleadings in connection with motion for summary judgment; Telephone conference with attorney Paul Rippel pertaining to scheduling on motion to withdraw	1.30	CAH
	Work on summary judgment memo section relevant to indemnification	1.70	DSO
Aug-18-06	Continued work on drafting, review and revision of brief and other pleadings on motion for summary judgment	1.60	CAH
	E-mail cases to T Gold; work on indemnification section of summary judgment motion	2.30	DSO
Aug-20-06	Continued work on drafting, review and revision of brief in support of motion for summary judgment	3.00	CAH
Aug-21-06	Telephone conferences with Tom Gold; Prepare pleadings on motion for summary judgment in final form for filing with court; File documents with court	1.10	CAH
Aug-23-06	Telephone conference with court pertaining to rescheduling of hearing date on motion for summary judgment	0.30	CAH
Aug-24-06	Prepare Amended Order on Pre-Trial Setting and Amended Notice of Hearing; Correspondence to Judge Shindurling on rescheduling of hearing on Motion for Summary Judgment	0.50	CAH
Aug-25-06	Correspondence to Tom and Richard Gold	0.30	CAH
Aug-28-06	Prepare to attend hearing on motion to withdraw filed by Paul Rippel; Attend hearing	1.40	CAH
Aug-30-06	Telephone conferences with Tom and Richard Gold	1.10	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

October 6, 2006

File #: 10199-000  
Inv #: 68870

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Sep-27-06	Telephone conference with Kipp Manwaring; Work on preparing Reply Brief; Continued work on review and revision of Reply Brief	0.90	CAH
Sep-28-06	Review Reply Brief filed by counsel for Vreeken; Telephone conference with Tom and Richard Gold; Interoffice conference to discuss preparation of response brief on pending motion for summary judgment	1.50	CAH
	Intraoffice conference regarding Summary Judgement opposition reply brief; telephone conference with clients; scan and e-mail documents to client;	6.50	DSO
Sep-29-06	Work on response to brief in opposition to summary judgment	6.00	DSO
Sep-30-06	Work on Summary Judgment motion opposition response	0.80	DSO
Oct-01-06	Work on Summary Judgment motion opposition response	2.20	DSO
	Work on Summary Judgment motion opposition response; research guarantee under Idaho/MA law; e-mail and Fax draft to clients	5.80	DSO
Oct-02-06	Telephone conferences with Tom and Richard Gold to discuss provisions in Reply Brief; work on review and revision of Reply Brief; Telephone conference with Kipp Manwaring	0.80	CAH
Oct-03-06	Continued work on drafting, review and revision of Reply Brief; Telephone conferences with Tom and Richard Gold to discuss revisions to Reply Brief;	3.60	CAH

Correspondence to court clerk to transmit  
Reply Brief for filing



THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

November 14, 2006

File #: 10199-000  
Inv #: 69245

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Oct-05-06	Telephone conference with Richard Gold	0.20	CAH
	Work on getting subpoena documents together for trial/Melanie Harris; find address	0.80	DSO
Oct-07-06	Review file and compile all documents to be used as exhibits for trial; Prepare for trial; Prepare oral argument to be presented to court in support of Motion for Summary Judgment	7.50	CAH
Oct-09-06	Prepare Pre-Trial Statement to be submitted to court; Office conference with attorney Kipp Manwaring to review exhibits to be submitted at trial; Telephone conference with Tom and Richard Gold	2.10	CAH
Oct-10-06	Prepare oral argument on Motion for Summary Judgment; Court appearance to provide oral argument on Motion for Summary Judgment; Telephone conferences with Tom and Richard Gold to discuss oral argument and to discuss new trial dates; Telephone conference with Judge Shindurling's court clerk pertaining to scheduling of trial dates	3.20	CAH
	Work on subpoena; intraoffice conference.	0.60	DSO
Oct-11-06	Telephone call to court pertaining to scheduling of trial dates	0.10	CAH
Oct-12-06	Telephone conference with Kipp Manwaring and court clerk pertaining to scheduling of trial dates	0.50	CAH

Oct-18-06	Telephone conference with attorney Lee Radford	0.30	CAH *
Oct-23-06	Telephone conference with Lee Radford; Telephone conference with Richard Gold	0.30	CAH *
	Intraoffice conference regarding letter to Volm Bag; write draft letter	0.50	DSO *
Oct-24-06	Work on edits, final of Volm notice letter.	0.60	DSO *
Oct-25-06	Draft , review and revise correspondence to Volm Bag Company; Correspondence to Tom & Richard Gold to transmit copy of correspondence to Volm Bag Company	1.20	CAH *
	Pull and copy UCCs to attach to Volm letter.	0.20	DSO *
	Deliver letter to Randy Soucie, Volm Bag Company manager.	0.50	RS *
Nov-07-06	Telephone call to court to discuss scheduling of dates for trial	0.20	CAH
Nov-08-06	Telephone conference with court on scheduling of trial	0.10	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

December 8, 2006

File #: 10199-000  
Inv #: 69560

**RE:** THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Nov-14-06	Review Memorandum Decision issued by court on motion for summary judgment	0.30	CAH
Nov-15-06	Telephone conferences with Tom and Richard Gold pertaining to summary judgment matter	2.40	CAH
Nov-17-06	Telephone conference with Tom & Richard Gold	1.20	CAH
Nov-18-06	Review Idaho Rules of Civil Procedure on motion for reconsideration; Email to Tom & Richard Gold	0.90	CAH
Nov-21-06	Telephone conference with attorney Kari Campos representing Volm Bag Co.; Telephone conference with Tom & Richard Gold pertaining to equipment purchased by Volm Bag Co.; Interoffice Conference pertaining to preparing legal action against Volm Bag Co.	2.10	CAH *
	Intraoffice conference regarding facts of Telford sale of equipment to Volm to begin suit to obtain equipment.	0.70	KRD *
Nov-25-06	Telephone conference with Tom & Richard Gold	0.30	CAH
Nov-27-06	Review Idaho Rules of Civil Procedure on obtaining temporary restraining order; Telephone conference with Tom & Richard Gold on obtaining equipment sold to Volm Bag Co.; Telephone conference with attorney Kari Campos pertaining to Volm Bag Co. filing Interpleader action	1.40	CAH *
	Intraoffice conference regarding Volm Bag issues. Telephone conference with	0.80	KRD *

Tom Gold and Richard Gold. regarding  
options in action to obtain funds from  
Volm Bag purchase of equipment.  
Telephone conference with Kari Campos  
regarding Volm Bag decision to file  
interpleader of proceeds of sale.  
Telephone conference with Tom Gold and  
Richard Gold regarding approval of Volm  
Bag interpleader option.

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

February 13, 2007

File #: 10199-000  
Inv #: 70260

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Nov-21-06	Office conference regarding conversion action against Telford.	0.20	DWS
Dec-08-06	Telephone conference with Kari Campos	0.20	CAH *
Dec-14-06	Correspondence to Tom and Richard Gold to transmit for review pleadings on Volm interpleader action	0.20	CAH *
Jan-02-07	Telephone conference with Richard Gold	0.20	CAH
Jan-03-07	Telephone conference with Richard Gold; interoffice conference to review interpleader pleadings and discuss preparation of responsive pleadings on interpleader action filed by Volm Bag Company; telephone conference with Kipp Manwaring; review pleadings filed in Volm interpleader action by Kipp Manwaring	1.40	CAH *
	Intraoffice conference ; call court clerk; Prepare stipulation regarding trial date and notice of trial setting; Review pertinent pleadings and orders in Vreeken case and Interpleader action	3.20	JA * /
Jan-04-07	Interoffice conference pertaining to preparation of pleadings in interpleader action	0.30	CAH *
	Revise Stipulated Motion for Trial Setting; Further review of pertinent orders and pleadings in Vreeken Case; intraoffice conference; Review pleadings in interpleader action; Review relevant statutes; Telephone conference with Kipp Manwaring; Call to Judge's clerk	4.10	JA

Jan-05-07	Prepare Answer	0.20	JA *
Jan-08-07	Intraoffice conference ; Prepare Answer; Review files regarding Exhibits for counterclaim; review relevant statutes	5.60	JA *
Jan-09-07	Prepare Verified Answer and Cross-claim; Prepare Memorandum in Opposition to Application for Writ of Attachment; Prepare Memorandum in Support of Plaintiff's Motion to Deposit Funds with Court; Legal research regarding applicable statutes including Uniform Commercial Code.	8.70	JA *
Jan-10-07	Draft , review and revise Answer and Crossclaim in Volm interpleader action; interoffice conference to review revised pleadings; telephone conferences with Tom and Richard Gold to discuss revisions of pleadings and appearance at hearing	2.40	CAH *
	Intraoffice conference ; Review correspondence; Prepare exhibits to Cross-claim; Telephone conference with client; Correspondence to same; revise Answer and Cross-claim and Stipulated Motion for Trial Setting	3.30	JA *
Jan-11-07	Prepare for and appear at hearing on Volm interpleader action; telephone conferences with Tom and Richard Gold	2.40	CAH *
	Amend Hearing on Motion to Deposit Funds with Court; Finalize Stipulation regarding Trial Setting	1.50	JA *
Jan-12-07	Review file regarding following items:	0.30	JA
Jan-18-07	Correspondence regarding witness from Volm Bag	0.10	JA *
Jan-24-07	Telephone conference with Tom and Richard Gold; correspondence to Tom and Richard Gold	1.00	CAH
Jan-26-07	Telephone conference with Tom and Richard Gold	0.30	CAH

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

March 19, 2007

File #: 10199-000  
Inv #: 70649

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Feb-06-07	Telephone conference with Tom and Richard Gold	0.50	CAH
	Telephone conference with clients	0.60	JA
Feb-08-07	Telephone conference with Lee Radford; telephone conference with Lorna Schubert; telephone conference with Tom and Richard Gold	1.70	CAH
	Telephone conference with Lorna Schubert; Call witnesses for Vreeken trial; Legal research regarding UCC Article 9	3.40	JA
Feb-09-07	Further legal research regarding disposition of collateral; Telephone conference with counsel for Volm Bag Company regarding witness for Vreeken trial; Review Memorandum of Understanding regarding default provisions	2.90	JA * 7.1
Feb-13-07	Interoffice conference pertaining to review of statutes on levy and execution of property to enforce security interest; telephone conferences with Lorna Schubert and attorney Lee Radford	0.90	CAH
	Calls to Lorna Shubert, Melanie Harris, and Randy Soucie; Prepare documents to renew - EIDC Judgment; Legal research regarding timing of renewal of judgment	3.80	JA * 1.1
Feb-14-07	Further preparation of documents to renew EIDC Judgment; Review File	1.70	JA *
Feb-15-07	Conference at Lockwood facility with Lorna Schubert to review and inventory equipment owned by Lockwood	1.30	CAH *

	Call attorney for Volm Bag Company	0.10	JA *
Feb-16-07	Telephone conferences with Tom and Richard Gold; dictate memorandum on inventory of property at Lockwood facility	0.70	CAH *
Feb-20-07	Review and revise Motion to Extend Judgment	0.30	CAH
	Telephone conference with Melanie Harris; Prepare subpoena for witness	0.80	JA
Feb-21-07	Revise documents to renew EIDC Judgment; Prepare amended pre-trial statement; Review portions of Melanie Harris deposition transcript; Revise trial subpoena; Telephone conference with Melanie Harris; Prepare Affidavit of service of Subpoena; Arrange for service of subpoena and witness fee	3.30	JA
Feb-22-07	Make further arrangements for service of Melanie Harris subpoena; Perform UCC search on LPGI; Research regarding registered agents of entities entitled to Notice of Sale; Prepare Notice of Sale	2.60	JA
	Serve Subpoena to Appear at Court on Melanie Harris. Prepare Affidavit of Service.	0.80	RS
Feb-24-07	Telephone conference with Richard Gold	0.80	CAH
Feb-26-07	Review decision in Volm Bag Company case;	0.40	JA *
Mar-06-07	Telephone conference with Richard Gold; interoffice conference to review and revise Pre-Trial Statement	0.60	CAH
Mar-12-07	Telephone conferences with Tom Gold	0.40	CAH



THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

April 19, 2007

File #: 10199-000  
Inv #: 71096

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Mar-01-07	Check Status of Motion to Renew EIDC Judgment; Call to Randy Soucie	0.50	JA
Mar-05-07	Review Order for renewal of judgment	0.10	JA
Mar-06-07	Interoffice conference	0.30	JA
Mar-07-07	Call Randy Soucie; Revise Amended Pre-Trial Statement; Call counsel for Volm Bag Co.; Meeting with Chuck Homer; Call Melanie Harris	0.90	JA * .2
Mar-12-07	Call Volm Bag counsel; Telephone conference with Randy Soucie; Telephone conference with Michael Gaffney	0.50	JA * .2
Mar-13-07	Review and revise Pre-Trial Statement; transmit Pre-Trial Statement for filing with court; email to Tom Gold to transmit Pre-Trial Statement; telephone call to Tom Gold	0.90	CAH
	Review notes of conversation with opposing counsel; Call Melanie Harris	0.50	JA
Mar-14-07	Telephone conferences with Tom Gold	0.40	CAH
	Call Michael Gaffney regarding documents and testimony from Volm Bag witness; Correspondence regarding same	0.40	JA
Mar-15-07	Review correspondence from Kipp Manwaring to use as exhibit at trial	0.20	CAH
	Review correspondence from Volm Bag Co's counsel; Call Kari Campos; Call Michael Gaffney; Locate additional exhibits for trial; Review correspondence from Volm Bag Co's counsel including Kipp Manwaring's opinion letter	2.60	JA * 1.2

Mar-16-07	Telephone conference with Tom Gold; work on preparation for trial; review correspondence from Kipp Manwaring	1.20	CAH
	Review correspondence from Volm Bag counsel; Research regarding effect of Lockwood's failure to give notice of sale of collateral; Revise pre-trial statement to add exhibits; Prepare subpoenas to Randy Soucie and Lorna Schubert	3.00	JA
Mar-19-07	Telephone conference with Richard Gold; review documentation on witnesses; review and revise Pre-Trial Statement	1.30	CAH
	Revise third amended pretrial statement; Prepare affidavits of service for subpoenas	1.10	JA
Mar-20-07	Telephone conference with Richard Gold; telephone conference with Melanie Harris; telephone conference with attorney Lee Radford	1.30	CAH
	Prepare Affidavits of service; Review message from Melanie Harris	0.70	JA
Mar-21-07	Correspondence to Al Lanfeld; office conference with Lorna Schuebert to prepare testimony for trial	1.90	CAH
Mar-22-07	Telephone conferences with Lorna Schuebert; telephone conference with attorney Lee Radford; conference with Melanie Harris to review questions for trial testimony	2.90	CAH
	Arrange for filing of subpoena	0.20	JA
Mar-24-07	Review file to prepare for trial and prepare testimony for witnesses at trial; prepare all notes and documentation to prepare for trial	7.30	CAH
Mar-26-07	Telephone conference with Richard Gold; telephone conference with Tom Gold; compile depositions to provide copies of depositions to Richard Gold; review UCC filings by Lockwood	2.40	CAH
	Sit in on telephone conference with client; intraoffice conference regarding summary judgment, UCCs; review UCCs to determine whether Vreekan filed in MA	0.70	DSO

Mar-27-07	Telephone conferences with Tom and Richard Gold pertaining to preparation for trial; telephone conference with Kipp Manwaring pertaining to exchange of trial exhibits	1.10	CAH
	Perform research for trial argument	0.50	DSO
	Call Randy Soucie; prepare subpoena for Jan Vreeken and affidavit of service	0.50	JA
Mar-28-07	Several telephone conferences with Tom & Richard Gold; interoffice conference to discuss legal research on issues for trial; work on trial preparation; office conference with attorney Michael Gaffney and Randy Soucie to discuss testimony of Randy Soucie for trial	1.60	CAH
	Intraoffice conference regarding case, research issues of intent/good faith and fair dealing	2.10	DSO
Mar-29-07	Several telephone calls with Tom and Richard Gold; review and revise Objection to Witness List and file exhibits prepared by Kipp Manwaring; research and interoffice conference pertaining to recovery under Implied Covenant of Good Faith; prepare for trial	4.20	CAH
	Intraoffice conference regarding merits of personal liability claim; perform research into possible avenues of liability	5.70	DSO
	Meeting with Chuck Homer; Prepare objection to witness and exhibit list; Arrange for filing of additional subpoenas and affidavits	2.50	JA
Mar-30-07	Review Motion to Suppress Exhibits and Witnesses	0.30	CAH
	Intraoffice conference regarding merits of deal; research hearsay rules	1.70	DSO
	Finalize evidentiary motion and related documents and arrange for service; Obtain pleadings from Volm Bag case; Review pleadings; Research regarding motion for abeyance and motion for attachment	4.50	JA *

Mar-31-07	Conference with Tom and Richard Gold to review testimony and prepare for trial	9.00	CAH
Apr-02-07	Review depositions and prepare for trial; conferences with Tom & Richard Gold to prepare for trial; appear at court trial	14.40	CAH
Apr-03-07	Prepare for trial; conferences with Tom & Richard Gold; appear at court trial	12.50	CAH
Apr-04-07	Conferences with Tom & Richard Gold; review depositions to prepare for trial; appear at court trial	12.50	CAH
Apr-05-07	Intraoffice conference regarding research into interference with contract	0.10	DSO
Apr-06-07	Telephone call with Al Lanfeld	0.30	CAH
Apr-10-07	Perform research regarding interference with contract	1.20	DSO
Apr-11-07	Interoffice conference on research for closing argument brief; continued research	0.50	CAH
	Research interference with contract; research	3.90	DSO
Apr-12-07	Perform research on theories of Vreekan's personal liability	2.50	DSO
Apr-13-07	Research interference with contract in MA, alternate theories of liability	4.10	DSO
Apr-15-07	Review cases for interference, alternate theories	1.00	DSO
Apr-16-07	Work on interference/Vreekan liability memo for CAH	4.80	DSO
Apr-17-07	Email to Tom & Richard Gold	0.20	CAH
	Work on memo for CAH	1.50	DSO
Apr-18-07	Perform research into theories of personal liability	3.40	DSO

THOMAS R GOLD  
GOLD ASSOCIATES  
271 SALEM STREET UNIT G  
WOBURN, MA 01801-2004

May 21, 2007

File #: 10199-000  
Inv #: 71452

RE: THOMAS R & RICHARD L GOLD vs VREEKEN ET. AL.

DATE	DESCRIPTION	HOURS	LAWYER
Apr-02-07	Find additional documents for trial, Additional research regarding Telford's motion for Order to Show Cause in Volm Bag case; Prepare Affidavits for hearing on order to show cause	6.00	JA * 3
Apr-03-07	Finalize Affidavits for order to show cause hearing in Volm Bag case; Prepare for hearing; Telephone conference with Chuck Homer; Review pleadings filed by Volm Bag Co.	1.60	JA *
Apr-04-07	Prepare for hearing on Motion for Abeyance and Order to Show Cause in Volm Bag case; Arrange for service of Affidavits	1.80	JA *
Apr-11-07	Meeting with Chuck Homer regarding Volm Bag Co.	0.20	JA *
Apr-19-07	Continued research to prepare Closing Argument Brief	2.10	CAH
	Research theories of liability for Vreeken based on gf/fd;	3.50	DSO
Apr-21-07	Draft , review and revise Closing Argument Brief	10.00	CAH
Apr-22-07	Continued work on drafting, review and revision of Closing Argument Brief	7.00	CAH
Apr-23-07	Several telephone conferences and emails with Tom Gold; continued work on drafting, review and revision of Closing Argument Brief	3.10	CAH
Apr-24-07	Telephone conferences with Tom and Richard Gold; review and revise Closing Argument Brief; email to transmit revised	5.60	CAH

	Closing Argument Brief to Tom and Richard Gold for review		
Apr-25-07	Telephone conference with Tom and Richard Gold; continued work on review and revision of Closing Argument Brief; correspondence to court to transmit Closing Argument Brief for filing	1.20	CAH
May-09-07	Review Reply Brief prepared by Kipp Manwaring	0.80	CAH
	Intraoffice conference regarding reply brief	0.20	DSO
May-11-07	Begin review of relevant court documents	0.20	DSO
May-14-07	Review Kipp Manwaring argument brief and work on preparing reply argument brief	0.50	CAH
	Research law regarding deposition testimony for use in trial; conversation with court clerk regarding transcripts	1.40	DSO
May-15-07	Telephone conference with Tom & Richard Gold to discuss argument brief filed by Kipp Manwaring; review transcript of trial testimony of Jan Vreeken	1.80	CAH
May-16-07	Draft , review and revise Reply Argument Brief	7.90	CAH
May-17-07	Several telephone conferences with Tom and Richard Gold to review Reply Brief; review and revise Reply Argument Brief	2.70	CAH
	Intraoffice conference with CAH; work on reply to closing argument memorandum	5.70	DSO
May-18-07	Intraoffice conference regarding brief; research intent element for 93A liability; telephone conference with clients regarding changes; work on memo and prepare for submission	4.40	DSO

BONNEVILLE COUNTY  
CLERK

7 JUL 31 P3:03

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

v.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,  
and THOMAS R. GOLD, an individual,

Defendants.

Case No. CV-01-2279

OPINION, DECISION, AND ORDER  
ON MOTION FOR  
RECONSIDERATION AND/OR TO  
CLARIFY, MODIFY, OR AMEND  
MEMORANDUM OPINION,  
DECISION AND ORDER WITH  
FINDINGS OF FACT AND  
CONCLUSIONS OF LAW

THOMAS R. GOLD, an individual,

Cross-Claimant,

v.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,

Cross-Defendants.

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ORIGINAL

THOMAS R. GOLD, an individual;  
RICHARD L. GOLD, an individual; and  
TOMAC PACKAGING, INC., a  
Massachusetts corporation,

Cross-Claimant and Third  
Party Plaintiffs,

v.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation;  
and LOCKWOOD PACKAGING  
CORPORATION IDAHO, an Idaho  
corporation,

Third Party Defendants.

### **I. Amendment**

In the Court's Opinion, Decision, and Order on Thomas R. Gold, Richard L. Gold, and Tomac Packaging, Inc.'s Motion for Summary Judgment entered on May 3, 2005, the Court ordered Lockwood Engineering, Lockwood Packaging Corporation, and Lockwood Packaging Corporation Idaho (collectively the "Lockwood Entities") to pay Thomas Gold the principal amount of \$450,000.00 plus \$60,404.67 in interest from November 12, 2000, and interest at the judgment rate of interest thereafter. The Court also ordered the Lockwood Entities to pay Richard Gold the principal amount of \$100,000 plus \$13,423.26 in interest from November 12, 2000, and interest at the judgment rate of interest thereafter. The Lockwood Entities were ordered to pay these sums based upon their liability on two notes issued to Richard and Thomas Gold, respectively. The issue recently before the Court was the question of whether Mr. Vreeken was personally liable on these notes. In the Memorandum Opinion, Decision, and Order with Findings of Fact and Conclusions of Law entered on June 25, 2007, the Court found Mr.

**1442**



Vreeken to be personally liable on the notes, and thus the sums as described in the May 3, 2005 opinion.

The Court did not specifically address the amount Mr. Vreeken owes Richard Gold in the June 25, 2007 opinion, as was originally intended. This oversight was of a clerical nature and the omission of this paragraph was clearly unintentional given the substantive posturing of the trial. The body of the decision held Mr. Vreeken personally liable on the note issued to Richard Gold in the amount of \$100,000 plus interest. The Court intended the Conclusion of the opinion to restate this holding, specifically addressing Mr. Vreeken's liability on the note issued to Richard Gold.

Idaho Rule of Civil Procedure 60 provides that "Clerical mistakes in judgments, orders or other parts of the record and errors therein arising from oversight or omission **may be corrected by the court at any time...**" (emphasis added). Thus, because the error was a clerical mistake arising from oversight, the Court need not wait for responsive briefs or an opportunity for hearing before amending the record to reflect what was intended. Therefore, the Memorandum Opinion, Decision, and Order with Findings of Fact and Conclusions of Law shall be duly amended.

## II. Clarification

In response to the Motion to Clarify, and in an effort to forestall confusion, the Court further clarifies its ruling on the amounts owed on the notes as of the June 25, 2007 decision. Having found Mr. Vreeken liable on the notes, the question arises as to what amount of interest applies to the principals owed in the two years between the May 3, 2005 summary judgment and the June 25, 2007 trial decision.

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Idaho Code ("I.C.") § 6-1602(5) states that "[any] unpaid balance of any **judgment** shall accrue and bear interest at the legal rate of interest specified in section 28-22-104(2)..." (emphasis added). Only unpaid balances of judgments accrue interest at the legal rate of interest. I.C. § 28-22-104(2) indicates what "[t]he legal rate of interest on money due on the **judgment of any competent court or tribunal**" shall be (emphasis added). It's axiomatic that there must be a judgment entered before the legal rate of interest can apply to an unpaid balance of that judgment. This creates some difficulty in the present case because judgment was entered against the Lockwood Entities in 2005, but judgment finding Mr. Vreeken personally liable on those debts was not entered until 2007. Does the legal rate of interest apply on the principals owed during the interim, or do those principals accrue at the 3% applied up and until entry of the 2005 judgment? Finding that Vreeken's judgment does not relate back to the judgment against the Lockwood Entities results in two years of interest accruing at 3% rather than 8.375% and 10.125%, respectively. On sums as large as those owing in this case, the difference amounts to about \$9,200 on the \$100,000 judgment and about \$42,000 on the \$450,000 judgment.

The Court has not been presented with arguments as to whether or not Vreeken's judgment relates back to the judgment against the Lockwood Entities. Absent an alternative theory, the Court applies a strict reading of I.C. §§ 6-1602(5) and 28-22-104(2): Mr. Vreeken cannot be charged interest on a judgment not yet entered against him. Therefore, an interest rate of 3% applies to the principal amounts owed on the notes from May 3, 2005 until June 25, 2007, the legal rate of interest to apply thereafter.

This means that the amounts of \$100,000 and \$450,000 provide the base for computing interest accrual up and until June 25, 2007, not the judgment amounts entered on May 3, 2005. Thus, Vreeken owes Richard Gold the principal amount of \$100,000, with \$19,858.88 in interest

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accrued up and until June 25, 2007, for a total judgment of \$119,858.88. Vreeken owes Thomas Gold the principal amount of \$450,000, with \$89,364.94 in interest accrued up and until June 25, 2007, for a total judgment of \$539,364.94. Interest accrues on the amounts of judgment at the legal rate of interest from and after June 25, 2007.

### **. III. Conclusion**

Defendant Thomas R. Gold and Third Party Plaintiff Richard L. Gold's Motion for Reconsideration and/or to Clarify, Modify, or Amend Memorandum Opinion Decision and Order with Findings of Fact and Conclusions of Law is hereby **granted**.

Let the record show that the Conclusion section of the Court's Memorandum Opinion, Decision, and Order with Findings of Fact and Conclusions of Law entered on June 25, 2007 is hereby amended to read as follows:

Jan Vreeken, is jointly and severally liable with Lockwood Packaging Corp., Lockwood Packaging Corp. Idaho, and Lockwood Engineering, B.V. on the Payout Notes, and is hereby ordered to pay Richard L. Gold \$119,858.88, with interest to accrue thereon at the legal rate of interest from and after June 25, 2007.


Jan Vreeken, is jointly and severally liable with Lockwood Packaging Corp., Lockwood Packaging Corp. Idaho, and Lockwood Engineering, B.V. on the Payout Notes, and is hereby ordered to pay Thomas R. Gold \$539,364.94, with interest to accrue thereon at the legal rate of interest from and after June 25, 2007.

The Bank of Idaho debt was paid in full in the amount of \$617,870.59 by funds that originated from Lockwood Engineering, B.V.

The Idaho UCC financing statements of June 26, 2000 made by Lockwood Engineering and Gerbroeders Meijer Belegging, respectively, on the assets of Lockwood Packaging, Idaho were improperly filed.

**IT IS SO ORDERED.**

Dated this 31 day of July, 2007.

  
\_\_\_\_\_  
Jon J. Shindurling  
District Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 2nd day of August, 2007, I served a true and correct copy of the foregoing OPINION, DECISION, AND ORDER ON MOTION FOR RECONSIDERATION AND/OR TO CLARIFY, MODIFY, OR AMEND MEMORANDUM OPINION, DECISION AND ORDER WITH FINDINGS OF FACT AND CONCLUSIONS OF LAW upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes.

**Attorney for Defendants, Cross-Defendants, and Third Party Defendants**

Kipp L. Manwaring  
MANWARING LAW OFFICE  
381 Shoup Avenue, Suite 210  
Idaho Falls, ID 83402

**Attorney for Defendant/Cross-Claimant Thomas R. Gold and Third Party Plaintiffs**

Charles A. Homer  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
P.O. Box 50130  
Idaho Falls, ID 83405-0130

Ronald Longmore  
Clerk of the District Court  
Bonneville County, Idaho

by

  
Deputy Clerk

1447

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V.,  
a Netherlands corporation;  
GERBROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation;  
JAN VREEKEN, an individual, and  
THOMAS R. GOLD, an individual,

Defendants.

Case No. CV-2001-2279

MINUTE ENTRY

THOMAS R. GOLD, an individual,

Cross-Claimant,

vs.

LOCKWOOD ENGINEERING, B.V.,  
a Netherlands corporation;  
GERBROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation a/k/a;  
GERBROEDERS MEIJER BELEGGING,  
B.V.; and JAN VREEKEN, an individual,

Cross-Defendants.

THOMAS R. GOLD, an individual,	)
RICHARD L. GOLD, an individual, and	)
TOMAC PACKAGING, INC., a	)
Massachusetts corporation	)
	)
Cross-Claimants and	)
Third-Party Plaintiffs,	)
	)
vs.	)
	)
LOCKWOOD PACKAGING	)
CORPORATION, a Delaware corporation	)
("LPC"); and LOCKWOOD PACKAGING	)
CORPORATION IDAHO, and Idaho)	)
Corporation ("LPC Idaho"),	)
	)
Third Party Defendants.	)

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September 4, 2007, a Motion for Costs of Attorney's Fees and Motion to Impose Judgment came on for hearing before the Honorable Jon J. Shindurling, District Judge, sitting in open court at Idaho Falls, Idaho.

Ms. Nancy Marlow, Court Reporter and Ms. Rhonda Quintana, Deputy Court Clerk, were present.

Mr. Kipp Manwaring appeared on behalf of the cross defendant.

Mr. Chuck Homer appeared behalf of the defendant and cross claimant's and third party plaintiffs.

Mr. Homer addressed the Court in support of the motions and offered argument. Mr. Homer presented the Court with copies of Judgment.

The Court requested

Mr. Manwaring had no objection to the Court entering final judgment on the award but

offered argument in opposition to the fees.

Mr. Homer offered rebuttal argument in support.


The Court requested clarification of the parties regarding assessment of fees on each entity involved in the case and the division thereof.

Mr. Homer responded in clarification and offered opinion on behalf of his client.

The Court ruled that the costs and fees were reasonable and necessary and therefore would grant the motion.

The Court would take under advisement the allocation of the final judgment amount and issue an opinion and decision.

Court was thus adjourned.



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JON J. SHINDURLING  
District Judge

c: Kipp Manwaring  
Chuck Homer  
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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

v.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,  
and THOMAS R. GOLD, an individual,

Defendants.

Case No. CV-01-2279

OPINION, DECISION, AND ORDER  
ON AWARD OF FEES AND COSTS

THOMAS R. GOLD, an individual,

Cross-Claimant,

v.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,

Cross-Defendants.

1451

ORIGINAL

THOMAS R. GOLD, an individual;  
RICHARD L. GOLD, an individual; and  
TOMAC PACKAGING, INC., a  
Massachusetts corporation,

Cross-Claimant and Third  
Party Plaintiffs,

v.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation;  
and LOCKWOOD PACKAGING  
CORPORATION IDAHO, an Idaho  
corporation,

Third Party Defendants.

## **I. BACKGROUND**

Defendant Gerbroeders Meijer Belegging, B.V. ("Gerbroeders") is a foreign corporation organized in The Netherlands. Gerbroeders is apparently the parent corporation of the Vreeken corporate entities, including Defendant Lockwood Engineering B.V. ("Lockwood Engineering"), a foreign corporation organized in The Netherlands; Third Party Defendant Lockwood Packaging Corporation ("LPC"), a Delaware corporation; and Third Party Defendant Lockwood Packaging Corporation Idaho ("LPCI"), an Idaho corporation and a wholly-owned subsidiary of LPC. Lockwood Engineering, LPC, and LPCI (collectively the "Lockwood Entities") were at all relevant times doing business in Idaho, as defined in I.C. § 5-514(a).

Defendant Jan Vreeken ("Vreeken") is a citizen of The Netherlands. Vreeken, at all times relevant to this case, was the chief executive officer, director and sole beneficial owner of Gerbroeders and the Lockwood Entities. Plaintiff Christianne Vreeken ("Christianne") is the

daughter of Vreeken and the successor in interest of the Bank of Idaho, the original plaintiff in this case.

Defendant and Third Party Plaintiff Thomas R. Gold ("T. Gold") is a Massachusetts resident and former officer of LPCI. Third Party Plaintiff Richard L. Gold ("R. Gold") is a Massachusetts resident. Tomac Packaging, Inc. ("Tomac") is a Massachusetts corporation. T. Gold, R. Gold, and Tomac (collectively the "Golds") were at all relevant times doing business in Idaho.

Vreeken and the Lockwood Entities together with the Golds and Tomac were engaged in a joint venture initially selling produce packaging machinery and equipment in the United States and elsewhere. However, by the end of 1999, the relationships between the joint venture parties had broken down and on May 12, 2000, the parties entered into a settlement agreement entitled Confidential Memorandum of Understanding ("MOU"). The MOU was executed by the Golds and Vreeken, in which control of LPC and LPCI was transferred to Vreeken. Vreeken agreed, among other things, to pay a certain sum to the Golds, secured by the assets of LPC and LPCI, and also agreed to obtain release of T. Gold from his personal guarantees with the Bank of Idaho on the LPCI loan. Indemnification of any liability incurred by the Golds on any Bank of Idaho guarantees was also secured by the assets of LPC and LPCI, which security interest was to be perfected and subordinate only to the Bank's security interest as per the loan. Payment of the LPCI note was to be made from LPC and LPCI business proceeds. Vreeken also agreed to restrict any transfer of assets from LPC and LPCI. In exchange, the Lockwood Entities promised to issue notes in the amount of \$119,858.88 to Richard L. Gold and \$539,364.94 to Thomas R. Gold (the "Payout Notes").

On April 25, 2001, principal and interest on the LPCI note to the Bank of Idaho was due and owing in the amount of \$619,937.11 plus accruing interest. The Bank of Idaho made

demand on LPCI, notified all of the guarantors, and on April 27, 2001, the Bank of Idaho filed its Complaint against the guarantors. On June 26, 2001, T. Gold filed his Answer, Cross-Claim and Third Party Complaint joining R. Gold and Tomac as Third Party Plaintiffs and naming LPC and LPCI as Third-Party Defendants.

Sometime prior to October 12, 2001, the Bank of Idaho agreed to accept \$617,870.59 as full satisfaction of the LPCI indebtedness, and required that a check for \$200,000 be issued by LPC to the Bank of Commerce by October 12, 2001, in order to retain the Bank of Idaho's acceptance. On October 12, 2001, LPC agent and representative William Wendels paid a Bank of Commerce cashier's check (No. 160346) in the amount of \$200,000 to the Bank of Idaho, and on October 15, 2001, the balance of the funds to Bank of Commerce were paid, in the amount of \$417,870.59. That same day, a document entitled "Assignment and Acceptance" ("Assignment") was executed by Christianne and the Bank of Idaho.

The Assignment states that Christianne paid consideration of \$617,870.59 by a Bank of Commerce cashier's check, No. 160346, dated October 12, 2001, in the amount of \$200,000 and a Bank of Commerce cashier's check, No. 160355, dated October 15, 2001, in the amount of \$417,870.59. It further states that the Bank of Idaho assigns to Christianne its rights under the LPCI loan dated November 18, 1999, including the right to enforce the loan against the guarantors; and that the Bank of Idaho also assigns its security interests in the LPCI assets.

The funds Christianne used to acquire the assignment from the Bank of Idaho came from Vreeken. Vreeken claimed he provided the money to Christianne as an advance on her inheritance and then asked whether Christianne would be willing to use those funds to satisfy the indebtedness to the Bank and step into the Bank's shoes. Vreeken also claimed Christianne was not required to purchase the note from the Bank as a prerequisite to getting the advance on her inheritance; rather, she chose to do so of her own free will. The Golds, on the other hand,

contended Christianne merely acted as the conduit through which Vreeken satisfied the obligation owed to the Bank of Idaho. (The Court, in the trial opinion, agreed with the Golds' interpretation of events).

On December 1, 2004, this Court issued an opinion, decision, and order dismissing with prejudice Christianne's Complaint against all named defendants as a sanction for repeatedly failing to appear at her deposition and refusing to be deposed. Any and all obligations that were the subject of Christianne's Complaint were deemed fully satisfied and paid in full.

With the claims of the Bank of Idaho, and its successor-in-interest Christianne Vreeken, being dismissed, only the claims and counterclaims between the Golds, the Lockwood Entities, and Jan Vreeken remained before the Court. The Golds filed a motion for summary judgment on February 14, 2005, seeking dismissal with prejudice of all claims brought against them, a declaratory judgment regarding the performance of, and amount due under, the MOU, entry of a money judgment against Lockwood, LPC, and LPCI, and a writ of possession allowing the Golds to obtain possession of the assets of LPC and LPCI in order to foreclose the security interest allegedly held by the Golds in those assets.

Jan Vreeken and the Lockwood Entities' claims against the Golds were dismissed by summary judgment on May 3, 2005. As to the Golds counterclaims, the Court found the Lockwood Entities liable to the Golds for \$550,000 plus interest on the Payout Note debt, also finding those entities liable to the Golds for net profits up to \$100,000, as provided for in the MOU. The Golds moved for summary judgment a second time on August 21, 2006 claiming that Jan Vreeken should be held personally liable for the Payout Note debts. On October 20, 2006, the Court ruled that summary judgment was improper because genuine issues of material fact existed as to the issue of Jan Vreeken's personal liability. Following a court trial, the Court found for Third Party Plaintiffs on all of their counterclaims against Jan on June 25, 2007. The

trial opinion was altered on July 31, 2007 to correct the inadvertent omission of Richard L. Gold's recovery. The corrected decision found, specifically, that Jan Vreeken was personally liable on the Payout Notes, that the Bank of Idaho debt was fully paid, and that the UCC filings were improper—all findings sought by the Golds.

The Third Party Plaintiffs' Motion for Entry of Final Judgment came up for hearing on September 4, 2007. At that time, the Court granted costs in the amount requested (\$4,962.22) and fees against Christianne Vreeken in the amount of \$21,796.99, by default. The Court found that the overall amount of fees claimed by Third Party Plaintiffs Thomas R. Gold and Richard L. Gold, or \$170,105.51, was reasonable and necessary for a case of this kind, also finding that the charged fee rate is normal by community standards. Furthermore, the Court ruled that a fifty-fifty split of an award of costs and fees between Thomas and Richard Gold would be honored. Following the hearing, two issues remain to be decided on the matter of costs and fees: 1) Does an award of fees in this case fall under Idaho Code ("I.C.") § 12-120(3) as a commercial transaction; and 2) Are both the Lockwood Entities and Jan Vreeken liable to the Golds for fees?

## **II. ANALYSIS**

The gravamen of the dispute between the parties lies in a commercial transaction; therefore, I.C. § 12-120(3) mandates an award of fees. Furthermore, because Third Party Plaintiffs succeeded in their claim against the Lockwood Entities and Jan Vreeken personally for the same sum of money on the same theory, both are liable to the Golds for fees incurred in pursuing that claim. Therefore, the Lockwood Entities and Jan Coenraad Vreeken are jointly and severally liable to Thomas R. Gold and Richard L. Gold, equally, in the amount of \$170,105.51 in attorney's fees.

Applicability of I.C. § 12-120(3)

Idaho Code § 12-120(3) mandates an award of attorney's fees to the prevailing party in an action arising out of a commercial transaction. That section reads, in part:

In any civil action to recover on an open account, account stated, note, bill, negotiable instrument, guaranty, or contract relating to the purchase or sale of goods, wares, merchandise, or services and **in any commercial transaction** unless otherwise provided by law, the prevailing party shall be allowed a reasonable attorney's fee to be set by the court, to be taxed and collected as costs.

I.C. § 12-120(3) (emphasis added). In addition to the specific mention of open accounts, notes, contracts of sale, etc., the statute notably includes the catchall "any commercial transaction." The statute further states that "[t]he term 'commercial transaction' is defined to mean all transactions except transactions for personal or household purposes...." I.C. § 12-120(3). Restated more simply, the prevailing party has a statutory right to an award of reasonable attorney's fees in civil actions arising out of any transaction not for personal or household purposes. *See Lamprecht v. Jordan, LLC*, 139 Idaho 182, 75 P.3d 743 (2003).

The MOU was an agreement to manage the dismantling of the joint venture between Jan Vreeken and the Golds. It was not a contract for sale of a personal residence or a lawnmower; it was a document to govern the complex disassembly of a business venture gone awry. The facts of this case cannot be reasonably construed as anything other than a commercial transaction between the parties. The effect of the MOU was that the Golds relinquished their control of the Lockwood Entities in exchange for the promise of payment. The claims involving the Golds arose primarily out of the failure of the Lockwood Entities and Jan Vreeken to comply with the terms of the MOU, a commercial transaction.

The basis for finding Vreeken personally liable on the Payout Note debt was not simple breach of the MOU, but rather a breach of the implied covenant of good faith and fair dealing. The Court notes that a breach of the implied covenant of good faith and fair dealing "results in

contract damages, not tort damages.” *Bakker v. Thunder Spring-Wareham, LLC*, 141 Idaho 185, 192, 108 P.3d 332, 339 (2005) (citing *Metcalf v. Intermountain Gas Co.*, 116 Idaho 622, 627, 778 P.2d 744, 749 (1989)). Therefore, a breach of that covenant does not disturb the commercial nature of the claim.<sup>1</sup> I.C. § 12-120(3) mandates an award of fees to the prevailing party in this case, even if breach of the contract itself did not provide the basis for recovery.

Because the Golds’ counterclaims against the Lockwood Entities and Jan Vreeken arose out of a commercial transaction, I.C. § 12-120(3) mandates an award of attorney’s fees to the Golds to the extent they are the prevailing parties. However, the question of the extent to which the Golds should be awarded fees against the Lockwood Entities and/or Jan Vreeken, respectively, still remains.

#### Liable Parties

Idaho Rule of Civil Procedure (“I.R.C.P.”) 54(e)(1), in addition to stating that there must be a statutory or contractual basis for granting fees, incorporates the Rule 54(d)(1)(B) description of “prevailing party” into the context of fees. I.C. § 12-120(3) provides the statutory basis for granting fees, mandating an award of fees to the prevailing party in an action to recover on a commercial transaction. In determining which party is the prevailing party, a trial court “shall in its sound discretion consider the final judgment or result of the action in relation to the relief sought by the respective parties.” I.R.C.P. 54(d)(1)(B); *Sanders v. Lankford*, 134 Idaho 322, 325, 1 P.3d 823, 826 (Ct. App. 2000) (“The determination of whether a litigant is the prevailing party is committed to the discretion of the trial court.”). In the exercise of that discretion, a trial court “may consider both the presence and absence of awards of affirmative relief in determining which party prevailed....” *Chadderdon v. King*, 104 Idaho 406, 411-412, 659 P.2d 160, 165-66 (Ct. App. 1983). In cases involving multiple claims, success or defeat as to a single claim does

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<sup>1</sup> The Idaho Supreme Court has held that I.C. § 12-120(3) does not cover claims succeeding primarily in tort. *Erickson v. Flynn*, 138 Idaho 430, 64 P.3d 959 (2002).



not mandate a proportionate award of fees—“the prevailing party question is examined and determined from an overall view, not by a claim-by-claim analysis.” *Eighteen Mile Ranc, LLC v. Nord Excavating & Paving, Inc.*, 141 Idaho 716, 719, 117 P.3d 130, 133 (2005).

At hearing and in their Objection to Memorandum of Costs and Attorney Fees, Defendants argue that Vreeken should not be held accountable for any award of fees because “[he] prevailed against the Golds on their claim of personal liability under the MOU and on their claim of personal liability under the Massachusetts statute.” (Defs.’ Obj. to Mem. of Costs and Atty Fees at 2.) Defendants incorrectly interpret the Court’s trial opinion. While the Golds did not succeed in asserting Vreeken’s personal liability under the Massachusetts statute, Jan Vreeken was found personally liable under the MOU. The covenant of good faith and fair dealing is implied into every contract and a breach of that covenant is a breach the contract—though implied, it is still a covenant of that agreement. The Golds successfully established Vreeken’s personal liability on the Payout Notes—the theory providing the basis for recovery on a claim is immaterial to a determination of whether a party prevailed on that claim.

The Golds succeeded in every claim against the Lockwood Entities and Vreeken except on their claim for damages under Massachusetts General Law Chapter 93A, resulting in the Court ordering the Lockwood Entities and Jan Vreeken to pay the Golds a sum total of \$550,000—an award of affirmative relief. The claims against the Golds, on the other hand, have been dismissed. No relief has been granted to the Lockwood Entities or Vreeken against the Golds. An overall view of the final disposition of this case inevitably leads the Court to the conclusion than that the Golds are the prevailing parties.

I.C. § 12-121

As a side note, the manner in which Defendant Jan Vreeken has gone about this litigation raises the very real possibility of an award of attorney’s fees under I.C. § 12-121. At trial, he

presented a largely insubstantial defense, merely claiming that he was operating within his knowledge of the laws of the Netherlands. His defense against liability borders on frivolous. However, because fees are mandated by I.C. § 12-120(3), it is unnecessary to explore the possible application of I.C. § 12-121.

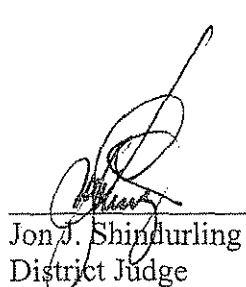
### III. CONCLUSION

Idaho Code § 12-120(3) mandates an award of attorney's fees to the prevailing parties, to be taxed as costs. Thomas R. Gold and Richard L. Gold are the prevailing parties against Lockwood Engineering B.V., Lockwood Packaging Corporation, Lockwood Packaging Corporation Idaho, and Jan Coenraad Vreeken in this action.

Therefore, Lockwood Engineering B.V., Lockwood Packaging Corporation, Lockwood Packaging Corporation Idaho, and Jan Coenraad Vreeken are hereby held to be jointly and severally liable to Thomas R. Gold and Richard L. Gold, in equal shares, in the amount of \$170,105.51 in fees. Those parties are also jointly and severally liable together with Christianne Vreeken for costs in the amount of \$4,962.22. The judgment may reflect that one half of the fees (\$85,052.75) and one half of the costs (\$2,481.11) be payable to Thomas R. Gold, and that one half of the fees (\$85,052.75) and one half of the costs (\$2,481.11) be payable to Richard L. Gold. Counsel for the Golds shall prepare a final form of judgment including the above amounts.

**IT IS SO ORDERED.**

Dated this 10 day of Sept., 2007.

  
Jon J. Shindurling  
District Judge

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 10<sup>th</sup> day of September, 2007, I served a true and correct copy of the foregoing OPINION, DECISION, AND ORDER ON AWARD OF FEES AND COSTS upon the parties listed below by mailing, with the correct postage thereon, or by causing the same to be delivered to their courthouse boxes.

**Attorney for Defendants, Cross-Defendants, and Third Party Defendants**

Kipp L. Manwaring  
MANWARING LAW OFFICE  
381 Shoup Avenue, Suite 210  
Idaho Falls, ID 83402

**Attorney for Defendant/Cross-Claimant Thomas R. Gold and Third Party Plaintiffs**

Charles A. Homer  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
P.O. Box 50130  
Idaho Falls, ID 83405-0130

Ronald Longmore  
Clerk of the District Court  
Bonneville County, Idaho

by

  
Deputy Clerk

1461

Charles A. Homer, Esq. (ISB No. 1630)  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
1000 Riverwalk Drive, Suite 200  
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7TH JUDICIAL DISTRICT COURT  
BONNEVILLE COUNTY, IDAHO

7 OCT -5 2005

Attorneys for Defendant Thomas R. Gold and  
for Third Party Plaintiffs Richard L. Gold and Tomac Packaging, Inc.

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,  
and THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

CrossClaimant,

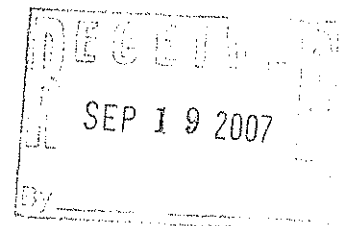
vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; and JAN VREEKEN, an  
individual,

CrossDefendants.

CASE NO. CV-01-2279

**JUDGMENT**



THOMAS R. GOLD, an individual,  
RICHARD L. GOLD, an individual, and  
TOMAC PACKAGING, INC., a  
Massachusetts corporation,

CrossClaimant and Third  
Party Plaintiffs,

vs.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation  
("LPC"); and LOCKWOOD PACKAGING  
CORPORATION IDAHO, an Idaho  
corporation ("LPC Idaho"),

Third Party Defendants.

For reference purposes, the parties referred to herein are described as follows: (i) Christianne Vreeken, (ii) Jan Coenraad Vreeken, also know as Jan Vreeken (hereinafter referred to as "Jan Coenraad Vreeken"), (iii) Lockwood Engineering B.V., a foreign corporation organized in the Netherlands, which corporation has now changed its name and is know as Slotboom Engineering B. V. ("Lockwood Engineering"), (iv) Lockwood Packaging Corporation, a Delaware corporation ("LPC"), (v) Lockwood Packaging Corporation Idaho, an Idaho corporation ("LPCI"), (vi) Gerbroeders Meijer Belegging, B.V., a foreign corporation organized in the Netherlands ("Gerbroeders"), (vii) Thomas R. Gold ("TR Gold"), (viii) Richard L. Gold ("RL Gold") and (ix) Tomac Packaging, Inc., a Massachusetts corporation ("Tomac").

The Court has previously issued opinions, decisions and orders on the following dates: November 30, 2004, May 3, 2005, September 2, 2005, November 8, 2006, June 25, 2007, July 31, 2007 and September 10, 2007 (collectively the "Opinions"). The Court has also previously issued herein summary judgment dated October 18, 2006 (the "Summary Judgment"). The Opinions issued herein dated June 25, 2007, July 31, 2007 and September 10, 2007 were issued

by the Court following the trial which was held for this case on April 2, 2007 through April 4, 2007. In accordance with the Findings and Conclusions set forth in the Opinions and the Summary Judgment and good cause appearing therefor,

THE COURT HEREBY ENTERS FINAL JUDGMENT IN THIS CASE as follows:

1. Christianne Vreeken's complaint against all defendants named in such complaint is DISMISSED WITH PREJUDICE. Any and all obligations that are the subject of Christianne Vreeken's complaint are deemed fully satisfied and paid in full.

2. All claims of LPCI against TR Gold, RL Gold and Tomac set forth in the counterclaim and cross-claim on file herein dated November 1, 2001, are DISMISSED WITH PREJUDICE.

3. All claims of Lockwood Engineering, LPC, LPCI, Jan Coenraad Vreeken and Gerbroeders against TR Gold, RL Gold and Tomac set forth in the counterclaim and cross-claim on file herein dated July 8, 2003, are DISMISSED WITH PREJUDICE.

4. Judgment is entered on behalf of RL Gold, jointly and severally against Lockwood Engineering, LPC and LPCI in the amount of \$113,423.23 with interest to accrue on such amount from and after May 3, 2005, at the legal rate of interest accruing on judgments until paid.

5. Judgment is also entered on behalf of RL Gold against Jan Coenraad Vreeken in the amount of \$119,858.88 with interest to accrue thereon at the legal rate of interest accruing on judgments from and after June 25, 2007 until paid.

6. Judgment is entered on behalf of TR Gold, jointly and severally against Lockwood Engineering, LPC and LPCI in the amount of \$510,404.67 with interest to accrue on

such amount from and after May 3, 2005, at the legal rate of interest accruing on judgments until paid.

7. Judgment is also entered on behalf of TR Gold against Jan Coenraad Vreeken in the amount of \$539,364.94 with interest to accrue thereon at the legal rate of interest accruing on judgments from and after June 25, 2007 until paid.

8. Judgment is entered on behalf of RL Gold, jointly and severally against LPC and LPCI in the principal amount of \$39,718.23 plus interest accruing thereon at the rate of 12% per annum from May 3, 2005 to June 25, 2007 in the amount of \$10,224.45 for a total amount of \$49,942.68 with interest to accrue on such total amount of \$49,942.68 from and after the date of this Judgment at the legal rate of interest accruing on judgments until paid.

9. Judgment is entered on behalf of RL Gold jointly and severally against Jan Coenraad Vreeken, Lockwood Engineering, LPC and LPCI in the principal amount of \$217,710.86 plus interest accruing thereon at the rate of \$39.12 per day from and after February 14, 2005 to June 25, 2007 in the amount of \$33,682.32 for a total amount of \$251,393.18 with interest to accrue on such total amount of \$251,393.18 from and after the date of this Judgment at the legal rate of interest accruing on judgments until paid.

10. Judgment is also entered on behalf of RL Gold jointly and severally against Jan Coenraad Vreeken, Lockwood Engineering, LPC and LPCI in the principal amount of \$52,724.67 plus interest accruing thereon at the rate of 12% per annum from and after February 14, 2005 to June 25, 2007 in the amount of \$5,447.51 for a total amount of \$58,172.18 with interest to accrue on such total amount of \$58,172.18 from and after the date of this Judgment at the legal rate of interest accruing on judgments until paid.

11. Judgment is also entered on behalf of TR Gold against LPC and LPCI finding that LPC and LPCI are required to make annual payments to TR Gold in an amount equal to 25% of their respective net profits determined in accordance with Generally Accepted Accounting Principles until such time as the aggregate amount of such payments reaches \$100,000.00.

12. Judgment is also entered that TR Gold and RL Gold have a security interest in the assets of LPC and LPCI as security for the amounts set forth herein due and owing to TR Gold and RL Gold by Jan Coenraad Vreeken, Lockwood Engineering, LPC and LPCI.

13. Judgment is also entered that the UCC-1 Financial Statements filed by Lockwood Engineering and Gerbroeders with the Idaho Secretary of State's office on June 26, 2000 as Instrument No. B873842, on June 26, 2000 as Instrument No. B873843, on August 23, 2000 as Instrument No. B879148 and on August 23, 2000 as Instrument No. B879149 were improperly filed and did not perfect a security interest in the assets of LPC and LPCI having priority over the security interest held by TR Gold and RL Gold in the assets of LPC and LPCI.

14. Judgment is also entered that TR Gold also possesses a security interest in the assets of LPC and LPCI for any damages incurred as a result of the failure of Lockwood Engineering, LPC and LPCI to obtain release and satisfaction of that certain Judgment and Amended Judgment entered on behalf of Eastern Idaho Economic Development Council in the Bonneville County District Court in the Seventh Judicial District of the State of Idaho in Case No. CV-01-5449 (the "EIEDC Judgments").

15. Judgment is also entered that Jan Coenraad Vreeken is required to indemnify and hold harmless TR Gold from any liability on the EIEDC Judgments.

16. Judgment is also entered on behalf of TR Gold against Jan Coenraad Vreeken, Lockwood Engineering, LPC and LPCI jointly and severally in the amount of \$87,533.86 which




includes \$2481.11 for costs and \$85,052.75 for attorney fees incurred herein by TR Gold, together with interest accruing on such amount of \$87,533.876 at the legal rate of interest accruing on judgments from and after the date of this Judgment until paid.

17. Judgment is also entered on behalf of RL Gold against Jan Coenraad Vreeken, Lockwood Engineering, LPC and LPCI jointly and severally in the amount of \$87,533.86 which includes \$2481.11 for costs and \$85,052.75 for attorney fees incurred herein by RL Gold, together with interest accruing on such amount of \$87,533.876 at the legal rate of interest accruing on judgments from and after the date of this Judgment until paid.

18. Judgment is also entered on behalf of TR Gold against Christianne Vreeken in the amount of \$22,155.57 which includes \$358.58 for costs and \$21,796.99 for attorney fees incurred herein by TR Gold, together with interest accruing on such amount of \$22,155.57 at the legal rate of interest accruing on judgments from and after the date of this Judgment until paid.

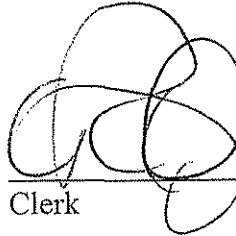
DATED this 07 day of September, 2007.

  
\_\_\_\_\_  
Jon J. Shindurling, District Judge

CLERK'S CERTIFICATE OF SERVICE

I certify that I am a duly elected and qualified Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville; that I mailed a copy of the foregoing Judgment to the following attorneys and/or individuals this 7/12 day of

October 2007.

  
Clerk

ATTORNEYS OR INDIVIDUALS SERVED:

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Courthouse Box

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Idaho Falls, Idaho 83405-0130

Courthouse Box

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IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V.,  
A Netherlands corporation;  
GERBROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation;  
JAN VREEKEN, an individual, and  
THOMAS R. GOLD, an individual,

Defendants.

---

THOMAS R. GOLD, an individual,

Crossclaimant,

vs.

LOCKWOOD ENGINEERING, B.V.,  
a Netherlands corporation,  
GERGROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation, a/k/a/  
GERBROEDERS MEIJER BELEGGING,  
B.V.; and JAN VREEKEN, an individual,

Cross-Defendants,

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Case No. CR-2001-2279

Docket No.

**CLERK'S CERTIFICATE  
OF APPEAL**

THOMAS R. GOLD, an individual, )  
RICHARD L. GOLD, an individual, )  
and TOMAC PACKAGING, INC., )  
a Massachusetts corporation, )

Crossclaimants and Third Party )  
Plaintiffs,/Respondents )

vs. )

LOCKWOOD PACKAGING )  
CORPORATION, a Delaware corporation )  
("LPC"); and LOCKWOOD )  
PACKAGING CORPORATION IDAHO, )  
An Idaho corporation ("LPC Idaho"). )

Third-Party )  
Defendants,/Appellants )

Appeal from: Seventh Judicial District, Bonneville County

Honorable Jon J. Shindurling, District Judge, presiding.

Case number from Court:

CV-2001-2279

Order or Judgment appealed from:

Judgment, entered October 7, 2007, and the  
prior summary judgments, decisions, and orders  
entered November 20, 2004, May 3, 2005  
September 2, 2005, October 18, 2006,  
November 8, 2006, June 25, 2007, July 31, 2007  
and September 10, 2007.

Attorney for Appellant:

State Appellate Public Defender's Office

Attorney for Respondent:

Attorney General's Office

Appealed by:

Defendant

Appealed against:

Plaintiff

Notice of Appeal Filed:

October 31, 2007

Appellate Fee Paid:

No

Was District Court Reporter's Transcript requested?

Yes

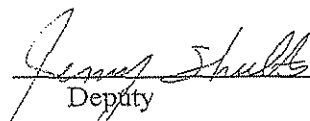
If so, name of reporter:

Nancy Marlow

Dated: November 6, 2007

RONALD LONGMORE  
Clerk of the District Court

By:

  
Deputy

Date: 11/6/2007

Seventh Judicial District Court - Bonneville County

NO. 0047713

Time: 02:00 PM

Receipt

Received of: Manwaring Law Office

\$ 100.00

381 Shoup Ave. Suite 210

Idaho Falls, ID 83402

One Hundred and 00/100 Dollars

Case: CV-2001-0002279

Defendant: Bank Of Idaho, etal. vs. Ng, B.v. Lockwood Engineering, etal.

Cash bond:

100.00

Check: 1408 Bank: Zions Bank

Payment Method: Cashiers Check

Amount Tendered: 100.00

Ronald Longmore, Clerk Of The District Court

By: 

Deputy Clerk

Clerk: SHULTS

1471

*January*

Charles A. Homer, Esq. (ISB No. 1630)  
Karl R. Decker, Esq. (ISB No. 3390)  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.  
1000 Riverwalk Drive, Suite 200  
P. O. Box 50130  
Idaho Falls, Idaho 83405-0130  
Telephone: (208) 523-0620  
Facsimile: (208) 523-9518

Attorneys for Respondent  
Defendant Thomas R. Gold and  
for Third Party Plaintiffs Richard L. Gold and Tomac Packaging, Inc.

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; JAN VREEKEN, an individual,  
and THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

CrossClaimant/Respondent,

vs.

LOCKWOOD ENGINEERING, B.V., a  
Netherlands corporation; GERBROEDERS  
MEIJER BELEGGING, B.V., a Netherlands  
corporation; and JAN VREEKEN, an  
individual,

CrossDefendants/Appellants.

CASE NO. CV-01-2279

**REQUEST FOR ADDITIONAL RECORD**

THOMAS R. GOLD, an individual,  
RICHARD L. GOLD, an individual, and  
TOMAC PACKAGING, INC., a  
Massachusetts corporation,

CrossClaimant and Third  
Party Plaintiffs/Respondents,

vs.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation  
("LPC"); and LOCKWOOD PACKAGING  
CORPORATION IDAHO, an Idaho  
corporation ("LPC Idaho"),

Third Party Defendants  
/Appellants.

TO: THE ABOVE NAMED APPELLANTS AND THEIR ATTORNEY KIPP L. MANWARING, AND THE  
CLERK OF THE ABOVE ENTITLED COURT

NOTICE IS HEREBY GIVEN, that the Respondents in the above entitled proceeding hereby  
request pursuant to Rule 19, I.A.R., the inclusion of the following material in the reporter's  
transcript or the clerk's record in addition to that required to be included by the I.A.R. and the  
notice of appeal:

1. Reporter's transcript: No addition.
2. Clerk's Record:
  - (a) all affidavits filed by or on behalf of Thomas R. Gold, Richard L. Gold and  
Tamac Packaging, including (but not limited to) those itemized below;
  - (b) all exhibits admitted into evidence;

(c) The following:

- (1) Affidavit of Charles A. Homer filed March 28, 2002;
- (2) Motion to Compel Discovery filed March 28, 2002;
- (3) Affidavit of Charles A. Homer filed June 21, 2002;
- (4) Opinion and Decision on Defendant/Cross-Claimant's and 3rd Party Plaintiff's Motion to Compel filed August 13, 2002;
- (5) Order filed August 13, 2002;
- (6) Affidavit of Charles A. Homer filed September 11, 2002;
- (7) Order: Order Denying Motion to Reconsider filed October 4, 2002;
- (8) Order: Order Granting Motion to Allow Amendment to Pleading filed October 4, 2002;
- (9) Order Granting Motion to Compel filed October 4, 2002;
- (10) Motion to Compel Discovery filed July 3, 2003;
- (11) Affidavit of Charles A. Homer filed July 3, 2003;
- (12) Motion for Sanctions filed August 19, 2003;
- (13) Affidavit of Charles A. Homer filed August 19, 2003;
- (14) Order Granting Second Motion to Compel filed August 21, 2003;
- (15) Motion to Compel Testimony filed September 10, 2003;
- (16) Affidavit of Counsel in Support of Motion to Compel Testimony filed September 10, 2003;
- (17) Affidavit of Charles A. Homer filed November 21, 2003;
- (18) Order Compelling Testimony filed December 9, 2003;
- (19) Motion for Reconsideration filed April 1, 2004;



- (20) Affidavit of Charles A. Homer in Support of Motion for Reconsideration filed April 1, 2004;
- (21) Affidavit of Thomas R. Gold in Support of Motion for Reconsideration filed April 1, 2004;
- (22) Motion for Protective Order and Sanctions filed April 1, 2004;
- (23) Affidavit of Thomas R. Gold in Support of Motion for Protective Order and Sanctions filed April 1, 2004;
- (24) Motion for Sanctions Against Christianne Vreeken for Failure to Appear at Deposition filed April 1, 2004;
- (25) Affidavit of Charles A. Homer for Motion for Sanctions Against Christianne Vreeken filed April 1, 2004;
- (26) Motion to Compel Discovery filed April 1, 2004;
- (27) Affidavit of Charles A. Homer in Support of Motion to Compel Discovery filed April 1, 2004;
- (28) Order for Protective Order filed May 7, 2004;
- (29) Decision or Opinion filed June 15, 2004;
- (30) Affidavit of Charles A. Homer for Motion for Sanctions Against Plaintiff Christianne Vreeken for Failure to Appear at Deposition filed October 15, 2004;
- (31) Motion for Sanctions Against Plaintiff Christianne Vreeken for Failure to Appear at Deposition filed October 15, 2004;
- (32) Affidavit of Thomas R. Gold filed November 8, 2004;

- (33) Decision or Opinion and Order on Motion for Sanctions Against Plaintiff Christianne Vreeken for Failure to Appear at Deposition filed December 7, 2004;
- (34) Motion for Award of Attorney Fees Against Christianne Vreeken filed December 14, 2004;
- (35) Memorandum re Costs and Attorney Fees, Affidavit of Charles A. Homer filed December 14, 2004;
- (36) Motion for Summary Judgment to Be Entered on Behalf of Thomas R. Gold, Richard L. Gold and Tomac Packaging, Inc. filed February 14, 2005;
- (37) Affidavit of Charles A. Homer in Support of Motion for Summary Judgment filed February 14, 2005;
- (38) Affidavit of Thomas R. Gold in Support of Motion for Summary Judgment filed February 14, 2005;
- (39) Affidavit of Richard L. Gold in Support of Motion for Summary Judgment filed February 14, 2005;
- (40) Second Affidavit of Charles A. Homer in Support of Motion for Summary Judgment - Reply filed March 7, 2005;
- (41) Second Affidavit of Thomas R. Gold in Support of Motion for Summary Judgment - Reply filed March 7, 2005;
- (42) Third Amended Order Setting Pretrial Conference and Trial filed June 16, 2005;
- (43) Order Re-Setting Pretrial Conference/Trial filed March 2, 2006;

- (44) Affidavit of Thomas R. Gold filed August 21, 2006;
- (45) Motion for Entry of Summary Judgment filed August 21, 2006;
- (46) Motion for Summary Judgment to Be Entered on Behalf of Thomas R. Gold and Richard L. Gold filed August 21, 2006;
- (47) Order Amending Fourth Order Re-Setting Pretrial Conference and Trial filed August 25, 2006;
- (48) Pretrial Statement on Tomac Packaging, Inc., Richard L. Gold and Thomas R. Gold filed October 12, 2006;
- (49) AMENDED Pretrial Statement of Tomac Packaging, Inc., Richard L. Gold and Thomas R. Gold filed March 7, 2007;
- (50) Second Amended Pretrial Statement of Tomac Packaging, Inc., Richard L. Gold and Thomas R. Gold filed March 14, 2007;
- (51) 3rd AMENDED Pre-Trial Statement of Tomac Packaging, Inc., Richard L. Gold and Thomas R. Gold filed March 19, 2007;
- (52) Defendant's Lockwood Engineering, B.V., Gerbroeders Meijer Belegging, B.V., Jan Vreeken Lockwood Packaging Corporation and Lockwood Packaging Corporation Idaho Notice of Lodging Trial Exhibits 1 through 21 filed March 29, 2007;
- (53) Defendants Lockwood Engineering, B.V., Gerbroeders Meijer Belegging, B.V., Jan Vreeken Lockwood Packaging Corporation and Lockwood Packaging Corporation Idaho Witness and Exhibit List filed March 29, 2007;
- (54) Defendant's Pretrial Statement filed March 29, 2007;

- (55) Motion to Exclude Testimony and Exhibits filed March 30, 2007;
- (56) Memorandum of Costs and Attorneys Fees Supported by Affidavit of Charles A. Homer filed July 9, 2007;
- (57) Affidavit of Charles A. Homer in Support of Memorandum of Costs and Attorneys Fees filed July 9, 2007

3. I certify that a copy of this request was served upon the clerk of the district court and upon all parties required to be served pursuant to Rule 20.

Dated this 9th day of November, 2007.



---

Charles A. Homer, Esq.  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

### CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the following described pleading or document on the attorneys listed below by hand delivering, by mailing or by facsimile, with the correct postage thereon, a true and correct copy thereof.

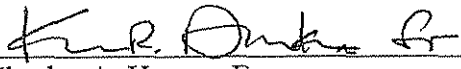
**DOCUMENT SERVED: REQUEST FOR ADDITIONAL RECORD**

**ATTORNEYS SERVED:**

Kipp L. Manwaring  
381 Shoup Avenue, Suite 210  
Idaho Falls, Idaho 83402  
Fax: 208-523-9109

☐ First Class Mail  
☒ Hand Delivery  
☐ Facsimile

Dated: 09 Nov 2007

  
\_\_\_\_\_  
Charles A. Homer, Esq.  
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

G:\WPDATA\CAH\10199\Appeal\2007\109\Designation of Additional Record.wpd

MANWARING LAW OFFICE, P.A.  
Kipp L. Manwaring ~ ISB 3817  
381 Shoup Avenue, Suite 210  
Idaho Falls, Idaho 83402  
Telephone: (208) 782-2300  
Facsimile: (208) 523-9109

BONNEVILLE COUNTY

7 31 16 11:02

Attorney for Lockwood Engineering, B.V.  
Gerbroeders Meijer Belegging, B.V., Jan Vreeken  
Lockwood Packaging Corporation, and Lockwood  
Packaging Corporation Idaho

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT  
STATE OF IDAHO, COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V.,

a Netherlands corporation;

GERBROEDERS MEIJER BELEGGING,

B.V., a Netherlands corporation;

JAN VREEKEN, an individual, and

THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

Crossclaimant,

vs.

LOCKWOOD ENGINEERING, B.V.,

a Netherlands corporation,

GERGROEDERS MEIJER BELEGGING,

B.V., a Netherlands corporation, a/k/a

GERBROEDERS MEIJER BELEGGING,

B.V.; and JAN VREEKEN, an individual,

Cross-Defendants,

Case No. CV-2001-2279

OBJECTION TO CLERK'S  
CERTIFICATE OF APPEAL

1480

THOMAS R. GOLD, an individual, )  
 RICHARDS L. GOLD, an individual, )  
 and TOMAC PACKAGING, INC., )  
 a Massachusetts corporation, )  
 )  
 Crossclaimants and )  
 Third-Party Plaintiffs, )  
 )  
 vs. )  
 )  
 LOCKWOOD PACKAGING )  
 CORPORATION, a Delaware corporation )  
 ("LPC"); and LOCKWOOD )  
 PACKAGING CORPORATION IDAHO, )  
 an Idaho corporation ("LPC Idaho"). )  
 )  
 Third-Party Defendants. )  
 )

Lockwood Engineering, B.V., Gerbroeders Meijer Belegging, B.V., Lockwood Packaging Corporation, Lockwood Packaging Corporation Idaho, and Jan Vreeken object to the Clerk's Certificate of Appeal dated November 6, 20007 for the following reasons.

1. The Certificate incorrectly identifies the State Appellate Public Defender's Office as the attorney for Appellant.
2. The Certificate incorrectly identifies the Attorney General's Office as the attorney for Respondent.
3. The Certificate incorrectly states the appellate fee was not paid.

All of the above errors must be corrected with and amended or corrected Clerk's Certificate of Appeal.

Dated this 12th day of November 2007.

  
 Kipp L. Manwaring  
 Attorney for the Appellants

1481

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on the 12<sup>th</sup> day of November 2007, a true and correct copy of the foregoing document was served upon the person or persons named below, in the manner indicated.

DOCUMENT SERVED:

OBJECTION TO CLERK'S  
CERTIFICATE OF APPEAL

PARTIES SERVED:

Charles A. Homer  
Robert M. Follett  
HOLDEN KIDWELL HAHN &  
CRAPO, P.L.L.C.  
PO Box 50130  
Idaho Falls, Idaho 83405  
**MAILED**

Ronald Longmore  
Bonneville Court Administrator  
605 North Capital Avenue  
Idaho Falls, Idaho 83402  
**MAILED**



---

Alicia Lambert  
Legal Assistant

1482



2007 DEC 26 PM 1:16

4660  
1077

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V.,  
A Netherlands corporation;  
GERBROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation;  
JAN VREEKEN, an individual, and  
THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

Crossclaimant,

vs.

LOCKWOOD ENGINEERING, B.V.,  
a Netherlands corporation,  
GERGROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation, a/k/a/  
GERBROEDERS MEIJER BELEGGING,  
B.V.; and JAN VREEKEN, an individual,

Cross-Defendants,

Case No. CR-2001-2279

Docket No.

AMENDED  
CLERK'S CERTIFICATE  
OF APPEAL

THOMAS R. GOLD, an individual,  
RICHARD L. GOLD, an individual,  
and TOMAC PACKAGING, INC.,  
a Massachusetts corporation,

Crossclaimants and Third Party  
Plaintiffs/Respondents

vs.

LOCKWOOD PACKAGING  
CORPORATION, a Delaware corporation  
("LPC"); and LOCKWOOD  
PACKAGING CORPORATION IDAHO,  
An Idaho corporation ("LPC Idaho").

Third-Party  
Defendants/Appellants

Appeal from: Seventh Judicial District, Bonneville County

Honorable Jon J. Shindurling, District Judge, presiding.

Case number from Court:

CV-2001-2279

Order or Judgment appealed from:

Judgment, entered October 7, 2007, and the  
prior summary judgments, decisions, and orders  
entered November 20, 2004, May 3, 2005  
September 2, 2005, October 18, 2006,  
November 8, 2006, June 25, 2007, July 31, 2007  
and September 10, 2007.

Attorney for Appellant:

Kipp L. Manwaring

Attorney for Respondent:

Charles A. Homer

Appealed by:

Defendant

Appealed against:

Plaintiff

Notice of Appeal Filed:

October 31, 2007

Appellate Fee Paid:

yes

Was District Court Reporter's Transcript requested?

Yes

If so, name of reporter:

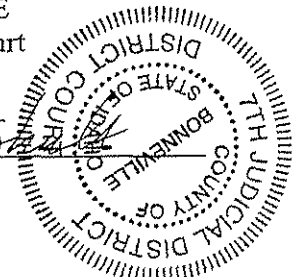
Nancy Marlow

Dated: December 26, 2007

RONALD LONGMORE  
Clerk of the District Court

By: 

Deputy



### EXHIBIT LIST

**CASE NAME:** THOMAS R. GOLD ET AL. VS. LOCKWOOD/VREEKEN ET AL.  
**JUDGE:** JON J. SHINDURLING

**DATES:** April 2, 3, and 4<sup>th</sup>  
**CLERK:** Rhonda Quintana

**TYPE OF PROCEEDING:** Court Trial

#### PLAINTIFF'S EXHIBIT LIST

WITNESS	DESCRIPTION	NUMBER	MARKED	OFFERED	OBJECTED	ADMITTED
Melanie Harris	Wire Transfer Receipts to Vreeken/	1	Yes	Yes	None	Stipulation
Melanie Harris	Receipts of Cashier's Checks	2	Yes	Yes	None	Stipulation
Melanie Harris	Invoice 16064A Lockwood Property List	3	Yes	Yes	None	Stipulation
Lorna Schubert	Correspondence dated August 11, 2006	4	Yes	Yes	None	Stipulation
Lorna Schubert	Invoice for Equipment Sales	5	Yes	Yes	None	Admitted
Richard Gold	Confidential Memorandum of Understanding	6	Yes	Yes	None	Admitted
Richard Gold	Amended Judgment CV-01-5449	7	Yes	Yes	None	Admitted
Richard Gold	UCC Financing Statement Amendment	8	Yes	Yes	None	Admitted
Thomas Gold	Financing Statement Form UCC-1	9	Yes	Yes	None	Admitted
Thomas Gold	Correspondence and UCC's	10	Yes	Yes	None	Admitted
Lorna Schubert	Amended UCC Financing Statement	11	Yes	Yes	Objection	Admitted
Thomas Gold	Correspondence to Jan V. 9-10-1997	12	Yes	Yes	None	Admitted

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### EXHIBIT LIST

**CASE NAME:** THOMAS R. GOLD ET AL. VS. LOCKWOOD/VREEKEN ET AL.  
**JUDGE:** JON J. SHINDURLING

**DATES:** April 2, 3, and 4<sup>th</sup>  
**CLERK:** Rhonda Quintana

**TYPE OF PROCEEDING:** Court Trial

Lorna Schubert	Idaho UCC Form Financing Statement B873842	13-A	Yes	Yes	Objection	Admitted
Lorna Schubert	Idaho UCC Form Financing Statement B879148	13-B	Yes	Yes	Objection	Admitted
Thomas Gold	Assignment and Acceptance Document	14	Yes	Yes	None	Stipulation

### EXHIBIT LIST

**CASE NAME:** THOMAS R. GOLD ET AL. VS. LOCKWOOD/VREEKEN ET AL.  
**JUDGE:** JON J. SHINDURLING

**DATES:** April 2, 3, and 4th  
**CLERK:** Rhonda Quintana

**TYPE OF PROCEEDING:** Court Trial

#### DEFENDANT'S EXHIBIT LIST

WITNESS	DESCRIPTION	LETTER	MARKED	OFFERED	OBJECTED	ADMITTED
Jan Vreeken	Articles of Incorporation	D	Yes	No		
Thomas Gold	Drawing by Witness	H	Yes	Yes	Objection	Admitted for Illustrative Purposes Only

1487

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTIANNE VREEKEN,

Plaintiff,

vs.

LOCKWOOD ENGINEERING, B.V.,  
A Netherlands corporation;  
GERBROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation;  
JAN VREEKEN, an individual, and  
THOMAS R. GOLD, an individual,

Defendants.

THOMAS R. GOLD, an individual,

Crossclaimant,

vs.

LOCKWOOD ENGINEERING, B.V.,  
a Netherlands corporation,  
GERGROEDERS MEIJER BELEGGING,  
B.V., a Netherlands corporation, a/k/a/  
GERBROEDERS MEIJER BELEGGING,  
B.V.; and JAN VREEKEN, an individual,

Cross-Defendants,

Case No. CR-2001-2279

Docket No.

**CLERK'S CERTIFICATION OF  
EXHIBITS**

THOMAS R. GOLD, an individual, )  
RICHARD L. GOLD, an individual, )  
and TOMAC PACKAGING, INC., )  
a Massachusetts corporation, )

Crossclaimants and Third Party )  
Plaintiffs/Respondents )

vs. )

LOCKWOOD PACKAGING )  
CORPORATION, a Delaware corporation )  
("LPC"); and LOCKWOOD )  
PACKAGING CORPORATION IDAHO, )  
An Idaho corporation ("LPC Idaho"). )

Third-Party )  
Defendants/Appellants )

STATE OF IDAHO )  
County of Bonneville )

I, Ronald Longmore, Clerk of the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville, do hereby certify that the foregoing Exhibits were marked for identification and offered in evidence, admitted, and used and considered by the Court in its determination:

And I further certify that all of said Exhibits are on file in my office and are part of this record on Appeal in this cause, and are hereby transmitted to the Supreme Court.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District Court this 31<sup>st</sup> day of December, 2007.

RONALD LONGMORE  
Clerk of the District Court

By Jenny Shultz  
Deputy Clerk

